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TRADE UNIONS

BY

GEOFFREY DRAGE

AUTHOR OF 'CYRIL,' 'THE LABOUR PROBLEM,' 'RUSSIAN AFFAIRS,' ETC.

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DEDICATED
TO THE
REV. TANCRED EARLE RAVEN, M.A.
IN MEMORY OF LONG-STANDING FRIENDSHIP
AND
AS A SLIGHT TOKEN OF GRATITUDE
FOR HIS
MOST VALUABLE LITERARY CRITICISM AND ADVICE

17/1/71



PREFACE

THE present little book owes its composition to the friendly importunities of the editor of the series, and not to any desire on the part of the author to volunteer enlightenment on so difficult a subject ; but it claims to be an attempt to hold the balance level between the two parties to the Labour Contract—the Employer and the Employed—whose relations, be it remarked, are better in Great Britain than in any other country in the world.

The subject is not only difficult, it is also a matter of the most serious consequence. The working classes are taking from day to day a greater interest and a greater share in the government of the British Empire. The trade union is the school in which the pick of these men have learnt the earliest lessons of public life. It has won from them attachment and even a measure

of that fond regard with which a great public school inspires its members.

There would therefore appear to be a need for definite information in a brief, compact form concerning the history, constitution, and aims of trade unions, especially as the average man has little more accurate knowledge of these than he has of a Russian *artel* or an Italian co-operative association. One prevalent fallacy seems to be that a trade union exists solely to foster strikes, harass employers, and hamper industry. Many educated people would be surprised to learn that during the eleven years 1892-1902 the 100 principal trade unions spent 61 per cent. of the total income—that is, £10,300,000 out of £16,900,000—on the various friendly benefits to their members, while even more would receive with incredulity the assertion that only 19 per cent. of the same total was expended on labour disputes.

But there is a special body of men to whom a handy work on this problem will supply a long-felt want, namely, our statesmen and politicians,—who, as Lord Randolph Churchill once said, are expected to give an opinion on every subject as it turns up. There is little doubt that the Taff Vale decision will be a prominent question during

the present Parliament, and that it will play an important part at the next General Election. Yet to form any notion of the issues involved in that judgment, at least an elementary knowledge of trade unions is indispensable.

It only remains for the author to thank Sir David Dale for reading over the proofs, and Miss Blomefield and Miss Robinson for secretarial assistance.

G. D.

February 25, 1905.

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TRADE UNIONS

CHAPTER I

HISTORY AND EXTENT OF TRADE UNIONISM

THE VARIOUS GROUPS OF WORKMEN'S ASSOCIATIONS

NO one has pointed out more clearly than Dr. Baernreither how much the principle of voluntary association has contributed to the material prosperity and moral elevation of the English working classes. Writing nearly twenty years ago, he said: 'England is at present the theatre of a gigantic development of associated life, which gives to her labour, her education, her social intercourse—nay, to the entire development of her culture—a pronounced direction, a decisive stamp. . . . Since the repeal of the laws prohibiting combinations (1824), which was the turning - point in the history of the English

working class, the working men's associations have gained immensely in importance ; they have become more organized, more enlightened, more firmly established. The power of union, the capacity of submitting to the lead of others, the pertinacity and energy which they display in the pursuit of fixed aims, are amazing. In the course of the last decade these associations have become more and more differentiated, according to their various objects, and are now well - defined, economic, and legal institutions. The combination of the earlier more scattered and disconnected groups into great centralized associations has to an extraordinary extent increased their power.*

The associations of working men thus referred to may be divided broadly into four main groups. First, there are the trade unions, or organizations formed by workmen for mutual protection and the regulation of their relations with their employers. These societies, which are the subject of the present work, constitute that form of labour organization which is in the highest degree peculiar to the English working man. Secondly, there are the co-operative societies, or organiza-

* Baernreither, 'English Associations of Working Men,' pp. 11, 12.

tions by which the workmen seek to eliminate the distinction between employers and employed, and to take, in addition to their wages, a share in the profits of their labour. These also have a direct bearing upon the industrial relations of the working classes. Thirdly, there are the friendly societies, or organizations for insurance, by which working men endeavour to secure for themselves support in case of sickness, old age, or want of employment, or to make a provision for their families at their death. Lastly, there are the building societies and savings banks, organizations which afford the working classes the means of accumulating and investing their savings. These last and the friendly societies may therefore be classed together as wage-saving organizations, in contrast with the trade unions and co-operative societies, which may be jointly described as wage-earning organizations, though, in fact, they have a wider scope. In addition there are a number of less important associations of working men, such as clubs and literary institutes, which do not properly fall under any of these main divisions.

All these various associations come to some extent under the jurisdiction of the Chief Registrar of Friendly Societies, in virtue of Acts of Parlia-

ment applying to the several groups. Mr. Bra-brook, who till 1904 held the office, in his evidence before the Royal Commission on Labour, quoted with approval the opinion expressed in 1874 by his predecessor, Mr. Ludlow, to the effect that it would be advisable to include them all under the general enactment which afterwards became the Friendly Societies Act, 1875; but this opinion has not been adopted by the Legislature, so that, for administrative purposes, working men's societies remain divided in the manner here indicated.

DEVELOPMENT OF UNIONISM BEFORE 1867

The aim of the present work is rather to consider the position held by trade unions in the United Kingdom at the present day, their extent, characteristics, and the influence they exercise upon industry, than to make any attempt to trace the steps by which they attained to that position. In order, however, that the sources of their present strength may be understood, it is necessary to point out as briefly as possible a few of the most striking landmarks in their history. That history falls into three chapters, the first ending with the inquiry into the rules and organi-

zation of trade unions conducted by the Royal Commission in 1867; the second with the Great Dock Strike, and the outburst of what is known as 'New Unionism' in 1889; whilst the third chapter is not yet closed. Throughout these main divisions lesser ones may be traced, for trade unionism has made alternately slow and rapid progress, and, with more or less regularity, has shown its greatest vigour at intervals of twenty years.

The four periods 1830-1834, 1849-1854, 1870-1874, and 1886-1894, were all remarkable for the large number of new unions then established, and for certain other features which they have in common. Thus each coincided to some extent with a rapid revival of trade after severe depression, and in each the efforts of the workmen as a class to secure their share in the renewed prosperity were accompanied by special claims on behalf of unskilled labour—claims which it was sought to enforce by the organization of the labourers and the co-operation in large federations of the members of various trades. But in other respects the conditions of the successive periods have varied greatly, and most of all, perhaps, in the gradual change which, passing over public opinion with regard to trade associa-

tions, has found expression from time to time in special legislation.

It is unnecessary to enter here into the disputed question of the exact origin of trade unions. The spirit of association for the purpose of self-help, which has been so characteristic of English working men at each period of their history, has been embodied now in one form, now in another, and finds expression at the present time in a variety of organizations besides trade unions. It is natural, therefore, that we should find in the ancient craft guilds, as well as in the more ephemeral combinations of manual workers which were formed from time to time, much that resembles modern trade unionism, even if no continuous development of the one into the other can be traced. The great majority of trade unions now in existence are certainly of comparatively recent origin ; a few only, such as the Consolidated Society of Bookbinders and the Friendly Society of Ironfounders, date from the last years of the eighteenth or the first two decades of the nineteenth century. It appears to have been the introduction of machinery which gave trade unions their essential character as combinations of workmen for mutual protection against employers. Before that time all textile industries

were carried on in domestic workshops, owned by small masters who worked themselves, and whose interest and social position were almost identical with those of the few journeymen they employed. The introduction of machinery created the system of large factories, owned by employers whose work was limited to supervision, and who were sharply divided from the workpeople in rank and in interest.

The large proportion of children employed in the factories, and the increased fluctuations in trade resulting from the new system of production, contributed to depress the condition of the workpeople. Some protection, however, from the former evil was found in the old Statute of Apprentices of Elizabeth, which was still nominally in force, although its provisions had long been disregarded. Combinations of workmen were therefore formed to resist the violation of this law on the part of the employers. These were not dissolved, as was intended by the Combination Laws passed in 1799, which made every workmen's union an unlawful association in restraint of trade; nor did their activity cease when the Statute of Apprentices was repealed in 1809. They were, however, forced into the position of secret societies, or obliged to carry out their real

objects under the disguise of mere friendly societies. The first steps in the direction of the legal sanction of the organization of labour were marked by the repeal of the Combination Laws in 1824 and 1825, followed by the establishment of a series of trade unions, especially in the years 1833 and 1834, which have been said to 'present the nearest parallel to 1889 and 1890, as regards labour movements, of any years upon record.'*

The majority of the numerous societies founded at this period, representing almost all the industries of the country, and including many branches of unskilled and even of female labour, appear to have had a very brief existence, although in the more skilled trades a few, such as the Associated Ironmoulders of Scotland, the Amalgamated Union of Cabinetmakers, and the United Society of Boilermakers, have survived to the present day.† The revival of unionism which began about the year 1843, and was marked in its later stages by the formation of some powerful trade societies, the most important of which were the Operative Bricklayers' Society, the Typographical Association, and the Amalgamated

* 'Trade Unionism, New and Old,' p. 55.

† Founded in 1831, 1832, and 1834 respectively.

Society of Engineers,* is noticeable, amongst other reasons, for the efforts then made in the direction of organizing seamen and dock labourers. The Glasgow Society of Harbour Labourers,† founded at this time, is still in existence, but the Seamen's United Friendly Society‡ became very powerful for a short time and then declined in consequence of the organized opposition of the shipowners, who opened free labour offices, and issued tickets by which preference of employment was secured to the holders. This period was of peculiar interest in trade union history, as being that in which some of the most important of what are now known as 'Old Unions' came into existence. These societies, of which the Amalgamated Society of Engineers may be taken as the type, contained elements of stability in their strongly centralized and carefully planned constitutions, their large contributions, and friendly benefits, which had been absent from former organizations of working men.

From 1860 onwards trade unionism was increasingly active, and the aggressive policy of some societies and the intimidation and violence

* Founded in 1848, 1849, and 1851 respectively.

† Founded in 1851.

‡ In 1899 joined National Union of Dock Labourers.

practised by their members led to the appointment of the Royal Commission of 1867 to inquire into the nature of trade unions and the charges brought against them. In addition to certain specific cases of outrage on the part of trade unionists, into which the Commissioners were empowered to inquire, their notice was attracted by several general charges with regard to the nature and abuses of trade unions. It was said that trade unions had destroyed the old kindly relationship of patron and dependent which had existed between employer and employed, that they had ruined the character of the workmen, and were the immediate cause of strikes. It was further alleged that their restrictive and often mischievous rules were an injury to trade, and that the workmen themselves had derived no financial benefit from them. Upon the other hand, the attention of the Commissioners was called to certain grievances under which trade unions suffered from the anomalous condition of the laws. The Act of 1825 had only exempted from punishment persons who met together to determine under what conditions of hours or wages they would work, or who entered into an agreement for this purpose. The majority of the unions, therefore, were unlawful bodies in their

objects and proceedings, and all suffered from the absence of protection for their funds, which arose from the fact that they had no legal status.

DEVELOPMENT OF UNIONISM FROM 1867 TO 1889

The Report of the majority of the 1867 Commission was not very favourable towards trade unions, but did not admit all the charges brought by their opponents. Without pledging themselves to the view that trade unionism had lowered the character of the workmen or the reverse, the Commissioners pointed out that since the old theory of the employers as the governing class had passed away, a substitute for it must be found 'arising from the feelings of equity and enlightened self-interest and mutual forbearance which should exist between contracting parties who can best promote their several chances of advantage by aiding and accommodating each other.' Whilst strongly reprobating the practice of 'rattening' and other violence towards non-unionists, which showed 'an utter perversion of all sense of law and duty' upon the part of some trade unions, they did not find from the evidence that a disposition to strike was in itself the creation of unionism, or that the frequency of

strikes increased with the power of a union. They further expressed the opinion that all regulations and practices of trade unions were objectionable so far as they tended to keep up a high cost of production, but could not say to what extent they had been successful in this aim ; and they considered the question whether trade unions had really raised wages or materially benefited the working classes a very doubtful one.

The fact that the power to combine is liable to abuse and is sometimes injudiciously exercised did not, however, appear to the Commissioners a sufficient ground for withholding the right of combination. They therefore proposed that the existing law should be relaxed so far that 'no combination of persons for the purpose of determining among themselves, or of stipulating for, the terms on which they will consent to employ or be employed shall be unlawful by reason only that its operation would be in restraint of trade,' adding certain provisos as to personal liability in respect of offences or damages, as to breaches of contract, and as to refusal to work with particular persons. In order that trade unions might become capable of corporate rights and duties in the eyes of the law, and to insure publicity with regard to their rules, proceedings, and expendi-

ture, it was proposed that they should be granted facilities for registration through the Registrar of Friendly Societies. The latter should, however, refuse to register societies the rules of which restricted the employment of apprentices, the use of machinery, the systems of subcontract and piece-work, or work with non-unionists, or societies which authorized the support of men on strike belonging to 'an unconnected union.' The Commissioners were of opinion that the funds intended for friendly benefits and for trade purposes should be kept entirely separate, but did not advise that this should be made a condition of registration. They suggested, however, that societies might be registered in a first or second class, according as they did or did not carry out this system. Further, whilst expressing their doubt as to the applicability and success of co-operative and industrial partnerships, and believing that any system of compulsory arbitration would be impracticable, the Commissioners held out the hope that 'a more promising remedy' would be found in the establishment of voluntary Boards of Conciliation.

Several members of the Commission dissented from some points in the Report, and two of them—Mr. Thomas Hughes and Mr. Frederic Harrison

—embodied their views in a separate Report. In this they urged that the evidence had shown that acts of violence had been committed in connection with certain unions in two districts of England, but that these were not societies of long standing or importance, and the worst instances of violent conduct had been found to exist where there was no settled union. The larger unions, on the other hand, and especially those in which the friendly benefits assumed most prominence, were shown to have contributed to the stability of trade, and to have conferred substantial benefits upon their members and upon the working classes generally. The dissentient Commissioners objected to the proposed separation of funds on the ground that it was often impossible to draw a clear distinction between benefit and trade purposes, and that the maintenance of a fund devoted entirely to the latter would increase the temptation to strike.

Whilst it was admitted that opposition to piece-work, to an unlimited employment of apprentices, and to the introduction of new machinery, and the refusal to work with non-unionists, were common, it was denied that these were essential features of unionism, or that they had had any sensible effect upon the trade or

production of the country. Further, the dissentients maintained that many associations of employers afforded by their regulations and procedure a close analogy with trade unions, and that legislation which affected the latter but not the former would be unjust. They therefore recommended that the Combination Laws should be repealed, and that crimes committed by the members of associations should be dealt with under the common law. Further, they held that full and positive protection should be afforded to the property and funds of trade unions, which should be enabled to register themselves under those sections of the Friendly Societies Acts which apply to certificated societies, and with no power to the Registrar to object to any rule or item of expenditure, unless it disclosed a criminal intent. And finally, whilst considering it inexpedient to interfere with the purely voluntary nature of trade unions, or to give any legislative character to courts of arbitration or conciliation, Mr. Hughes and Mr. Harrison proposed that increased facilities for the enforcement of the contract should be given in cases in which regulations had been mutually accepted.

The Trade Union Act of 1871 was based rather upon the recommendations contained in the

dissentients' Report than upon those put forward by the majority of the Commission. It declared that the purposes of any trade union should not be deemed unlawful 'by reason merely that they are in restraint of trade,' and provided for the registration of any union under certain conditions with regard to the appointment of trustees and the furnishing of the Registrar with the address of the office and annual returns of the funds, expenditure, and other particulars relating to the union. Any union thus registered was enabled to purchase or hold land or buildings, and its trustees or other authorized officers to bring or defend any action in a court of law or equity concerning the real or personal property of such trade union. The treasurers or other officers to whom the moneys of the union were confided were required to render an exact account of such moneys to the trustees or members of the union, and were made punishable for withholding or misapplying the same.

This Act was amended in 1876, when, amongst minor regulations, it was laid down that a certificate of registration could be withdrawn or cancelled only at the request of the union, or if the union ceased to exist, or wilfully, and after notice from the Registrar, omitted to send the

annual returns, or violated any other provisions of the Act. Regulations were laid down with regard to any change of name or the amalgamation of any two or more trade unions, and it was required that the rules of each union should provide for the manner of its dissolution.

Another measure of great importance to labour organizations was passed in 1875. This was the Conspiracy and Protection of Property Act, which enacted that 'an agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime,' and defined the acts which constituted unlawful intimidation or annoyance. In the meantime the Act of 1871 had given a new impetus to the formation of trade unions, and many new ones were established in the following year. Amongst these, organizations of labour engaged in agriculture and in transport by land or water were especially prominent. Two unions of agricultural labourers which have now ceased to exist were founded in 1872, and in 1871 the Amalgamated Society of Railway Servants of the United Kingdom and the corresponding society

in Scotland, which were amalgamated in 1892. The South Side Labour Protection League, the first riverside union of any considerable extent, had come into existence in 1871, and in the following year unions of stevedores, shipriggers, seamen, and dock labourers, were established. Of these, the Dock Labourers' Union was the first attempt at a general organization of unskilled riverside labour, but though it obtained a temporary advance of wages, it remained in existence only eight months.

After 1874 a period of great depression in trade set in, and the progress of unionism was slow for several years, though marked from time to time by the formation of an important society, such as the Ashton-under-Lyne and District Weavers founded in 1877, the Mutual Association of Coopers in 1878, and the Northern Counties Amalgamated Association of Weavers, founded in 1884. In 1879 the North of England Sailors' and Sea-going Firemen's Friendly Association was established. In the following year this society numbered about 1,000 members, and continued to grow rapidly until 1882, when it began to decline.* Mr. J. H. Wilson, a member of this union, attempted to reorganize it upon a national

* At the end of 1901 its members numbered 294.

basis in 1887; but, meeting with opposition from the other members, he seceded from it, and founded the National Amalgamated Sailors' and Firemen's Union, which, though now defunct, afterwards took a prominent part in what is known as the 'New Unionist' movement.

DEVELOPMENT OF UNIONISM SINCE 1889

As early as 1886 the renewed activity of trade unionism had become apparent by the large number of unions founded. Indeed, of the 1,282 unions in existence at the end of 1897, nearly half (640) were founded during the ten years 1888-1897. At the end of 1899 the total number of unions was 1,292, and the membership 1,802,518, showing a net increase during the year of 9·4 per cent., the largest annual increase recorded by the Board of Trade returns; while the year 1900 showed an increase of 5·8 per cent. In the following year (1901) the unions stood at 1,236, with a membership of 1,922,780, or an increase for the year of 0·6 per cent. This period, though on the whole one of advance, has not been without fluctuations. The year 1890 was marked by extraordinary activity, the increase in the number of new unions or branches founded being

141, while a slight decline was recorded during the three years 1893-1895, the falling off reaching as much as 2.9 per cent. in 1894. The years from 1896-1900 presented a steady advance, culminating, as we have seen, in the year 1899.

The movement which then took place may be illustrated by the following table, which shows the increase in the number of registered trade unions in each of the seven years 1888-1894. In 1896-1897 the number of new unions registered was only seventeen, and since then the number of unions has actually decreased, owing to the tendency towards amalgamation already observed. The average number of societies registered in the thirteen years before 1889 was less than half the number of registrations in that year, whilst this, again, was more than doubled in 1890.

TABLE SHOWING THE INCREASE IN THE NUMBER OF REGISTERED TRADE UNIONS IN THE UNITED KINGDOM IN THE YEARS 1888-1894.

	1888.	1889.	1890.	1891.	1892.	1893.	1894.
Number of new societies or branches registered	33	57	147	106	59	80	83
Number of dissolutions registered ..	5	5	6	11	31	27	25
Total increase in number	28	52	141	95	28	53	58

Although these figures represent only a part of the numbers of societies established or dissolved, it is probable that the registered unions stand in a more or less constant relation to the unregistered, and may therefore serve to indicate the general movement. The activity of trade unionism in 1890 must, however, not be measured only by the number of new unions registered, for the increase in the number of registered transactions relating to existing unions, such as the amendment or total change of rules, the removal of the office, or a change of name, in that year was equally remarkable. The revival, indeed, passed through every trade, and aroused fresh energy amongst the oldest unions, but, as in former periods, found its most characteristic expression in the organization of unskilled labour.

It is impossible to enumerate even the more important of the unions founded at this time, but some account of a few typical ones may be briefly given. In 1887 steps were taken towards forming a general association of the dock and riverside labourers in London, and in the beginning of the following year the society was registered under the title of the Tea Operatives and General Labourers' Union, with 2,300 members. For several months the society made little pro-

gress, a fact which the secretary, in his evidence before the Select Committee on the Sweating System, partly attributed 'to the indifference of the skilled organizations throughout the land to our wants.'*

Early in 1889, however, an attempt was made to establish a new union for permanent dock hands, and this gave a fresh impetus to the existing union. The dockers were no longer left to struggle alone, but members of the Amalgamated Society of Engineers, the richest and one of the oldest associations of skilled labour, aided in their organization, and became leaders in the great strike of August, 1889. The enthusiasm of the workmen was roused by the strike, public sympathy and support contributed to its success, and at its close the Tea Operatives and General Labourers' Union was reconstituted as the Dock, Wharf, Riverside, and General Labourers' Union, with 40,000 members. It has since founded numerous branches in various parts of the United Kingdom, including twenty-eight in agricultural districts, for the union endeavours to organize agricultural labourers in order to keep them on the land. There are also special branches for seed-crushers, copper-workers, cart and rully men, and other

* Evidence before the Select Committee on the Sweating System (Question 12,838).

classes of labourers. The number of members has, however, steadily declined since the enthusiasm roused by the 'Great Strike' died away, and at the end of 1901 was not quite 14,000.

Two other large national societies of a similar character were established in 1889. These were the National Union of Dock Labourers and the Tyneside and National Labour Union, the latter of which in 1891 comprised 25,200 members. It has since changed its name to that of the National Amalgamated Union of Labour, with 190 branches, and the membership at the end of 1901 was 22,094. Local societies of dock and wharf labourers were formed in numerous ports during 1891 and 1892, and an equal activity was displayed amongst the watermen and boatmen upon several rivers, but principally the Thames and the Mersey. The origin of the National Amalgamated Sailors' and Firemen's Union has been referred to above, but it was not until 1889 that it was sufficiently strong to advance a demand for the exclusive employment of its members, and to endeavour to compel all seamen sailing from British ports to join it by the refusal of its members to sail with non-unionists. Before the end of that year it had branches in every port in the United Kingdom. In 1891 there were fifteen branches on the Continent. The formation of the Shipping Federa-

tion, which adopted the tactics successfully employed by the shipowners in 1852—namely, free registry offices and the issue of preference tickets—checked the progress of the union, and a prolonged conflict took place between the two associations. The financial position of the National Amalgamated Sailors' and Firemen's Union was greatly weakened by the strikes which it supported; and although it claimed to have secured a great increase of wages and other benefits for its members, their number declined, and was returned in 1893 at 15,000, whilst there was a deficit of £2,243 in the funds of the society at the end of that year, and in the following year the union was dissolved.

The General Railway Workers' Union was founded in 1889 on the model of the Dock, Wharf, Riverside, and General Labourers' Union, and, while representing all grades of railway labour, was chiefly intended for those who were not eligible for membership in the Amalgamated Society of Railway Servants or other existing societies. Its principal object was expressed in the resolution passed at a congress of its members in 1890: 'That the union shall remain a fighting one, and shall not be encumbered with any sick or accidents fund,' and its efforts have been mainly devoted to reducing the hours of

labour. In 1891 the members of the society were said to number between 20,000 and 25,000, but in the Chief Registrar's returns for 1893 the membership is given as 5,564 only, and in 1895 it was dissolved.

There remains to be noticed another group of unions founded in 1889, in connection with the gas and chemical industries. Of these, the most important is the National Union of Gas-Workers and General Labourers, which was originally intended for gas-workers only, but afterwards altered its name and rules so as to include labourers from all trades. This union has been conspicuous for its energy as a fighting body; indeed, it claims to be 'wholly and solely' a fighting body, and since 1889 has spent over £22,000 on strikes. Its members at one time were estimated at 45,000 or 50,000, of whom 25,000 or 30,000 were gas-workers, and the remainder members of at least seventy other trades, including some 2,000 women; in the returns for 1893 the total membership is placed at 30,793. In 1895 the membership fell to 23,532, but from that year onwards it has steadily increased, and in 1901 reached 46,014. The organization of general labour has proved on the whole a striking success, as is shown by the fact that in 1901 the number of unionists in the

'General Labour' group was higher than in 1892, when the movement was in its first vigour, the numbers for the two years being 102,883 and 115,525. Since 1890 the tendency has been to amalgamate existing unions rather than to form new ones; thus, in 1899, when the increase in membership was larger than in any of the eight preceding years (153,287, or 9·4 per cent.), the number of new unions formed (thirty) was exactly balanced by the number dissolved, while the total number was reduced by amalgamation from 1,310 to 1,292. The net increase between the years 1892 and 1902 has been 27·3 per cent.

It appears from the above facts that during the last twelve years there has been an extremely rapid extension of trade unionism, and although the rate of progress has fluctuated and a diminution in the number of members of some of the newer unions has taken place, the position held by trade unions at the present time in respect of their numerical strength and influence is very greatly in advance of what it has been at any former period.

The total number of trade unions in existence at the end of 1902 was 1,183. The following tables are taken from the *Labour Gazette* for October, 1903 (p. 268). The first (see p. 28) shows the growth in membership since 1892.

The second table (see p. 29) shows the increase in the income and accumulated funds of the 100 largest trade unions since 1892.

The great size and wealth of some individual unions may be seen in the following table :

MEMBERSHIP AND FUNDS OF THE TWELVE LARGEST
TRADE UNIONS IN 1901.

Date of Founda- tion.	Societies.	Number of Members.	Amount of Funds.
1898	South Wales Miners' Federa- tion	124,097	£ —
1851	Amalgamated Society of Engineers	90,943	492,357
1869	Durham Miners' Association	70,585	200,989
1860	Amalgamated Society of Carpenters and Joiners ..	67,018	188,020
1858	Yorkshire Miners' Associa- tion	60,000	23,236
1871	Amalgamated Society of Railway Servants ..	55,941	245,056
1834	United Society of Boiler- makers, and Iron and Steel Shipbuilders	48,113	397,174
1889	National Union of Gas- workers and General Labourers	46,014	8,759
1897	Lancashire and Cheshire Miners' Federation ..	39,763	—
1848	Operative Bricklayers' Society	38,743	100,650
1873	Bristol, West of England, and South Wales Operatives ..	30,320	45,791
1874	National Union of Boot and Shoe Operatives	28,011	75,054

TABLE I.

YEAR.	100 PRINCIPAL TRADE UNIONS.		OTHER TRADE UNIONS.		ALL TRADE UNIONS.	
	Total.	Increase (+) or Decrease (-) Per Cent.	Total.	Increase (+) or Decrease (-) Per Cent.	Total.	Increase (+) or Decrease (-) Per Cent.
1892	900,636	—	604,602	—	1,505,238	—
1893	905,049	+ 0.5	577,211	- 4.5	1,482,260	- 1.5
1894	920,001	+ 1.7	520,145	- 9.9	1,440,146	- 2.8
1895	910,404	- 1.0	500,248	- 3.8	1,410,652	- 2.0
1896	958,018	+ 5.2	539,034	+ 7.8	1,497,052	+ 6.1
1897	1,061,311	+ 10.8	554,582	+ 2.9	1,615,893	+ 7.9
1898	1,038,686	- 2.1	613,307	+ 10.6	1,651,903	+ 2.2
1899	1,112,576	+ 7.1	694,313	+ 13.2	1,806,889	+ 9.4
1900	1,159,246	+ 4.2	756,467	+ 9.0	1,915,713	+ 6.0
1901	1,169,222	+ 0.9	758,730	+ 0.3	1,927,952	+ 0.6
1902	1,169,333	+ 0.0	746,173	- 1.6	1,915,506	- 0.6

TABLE II.

YEAR.	MEMBERSHIP AT END OF YEAR.	INCOME.		EXPENDITURE.		FUNDS AT END OF YEAR.	
		Amount.	Per Member.	Amount.	Per Member.	Amount.	Per Member.
		£	s. d.	£	s. d.	£	s. d.
1892	900,636	1,464,440	32 6½	1,432,871	31 9¼	1,576,280	35 0
1893	905,049	1,617,968	35 9	1,839,118	40 7¾	1,355,130	29 11¼
1894	920,001	1,623,409	35 3½	1,427,633	31 0½	1,550,906	33 8½
1895	910,404	1,548,251	34 0¼	1,382,937	30 4¼	1,717,120	37 8¾
1896	958,018	1,663,268	34 8¾	1,225,619	25 7	2,154,769	44 11¾
1897	1,061,311	1,986,476	37 5¼	1,912,081	36 0½	2,229,164	42 0
1898	1,038,686	1,917,310	36 11	1,498,776	28 10¼	2,647,698	50 11¾
1899	1,112,576	1,848,479	33 2¾	1,270,673	22 10	3,225,504	57 11¾
1900	1,150,246	1,962,981	33 10½	1,557,582	25 3¾	3,720,903	64 2¼
1901	1,160,222	2,060,874	35 3	1,652,110	28 3	4,129,667	70 7¾
1902	1,169,333	2,109,656	36 1	1,814,727	31 0½	4,424,596	75 8¼

CHAPTER II

ORGANIZATION AND FUNCTIONS OF TRADE UNIONS

OBJECTS OF TRADE UNIONS

THE terms 'old' and 'new' unions are used to denote two classes of trade unions, the distinction between which first assumed marked importance during the years 1889-1894. The terms are, however, in some degree misleading, since unions with the main features of new unionism have been founded at various times throughout the history of the movement, and some of those most recently established belong by character to the old unions. The real division between the two classes is to be found, not in the date of their establishment, nor in the nature of their constitution, but in the objects at which they aim and the means which they employ in carrying them out.

In the objects enumerated in the rules of the old unions it is at once apparent that the unions are intended to fulfil a double function. On the one hand, they aim at rendering their members able through combination to conclude just bargains with their employers with regard to work and wages, and to withstand any form of oppression. On the other hand, they wish to afford opportunities to their members, by prudent self-help and mutual assistance, to provide against the necessities of old age, sickness, enforced idleness, and other causes over which neither they nor the union have any control. The extent to which the latter object can be fulfilled depends chiefly upon the ability of the members to contribute, and therefore upon the circumstances of their trade ; but the object itself is considered as important as the former one.

To illustrate this fact, and to show to what extent the provision of friendly benefits has been carried amongst the richer unions, reference may be made to the rules of the United Society of Boilermakers and Iron and Steel Shipbuilders. In these it is stated that : 'The objects of this Society are the establishment of a fund for the relief of its members in sickness, with medical and surgical aid, assistance to

members out of employment, accidents, old age, for the interment of its deceased members and their wives.' The preface to these rules explains that the Society does not wish to be a mere rival to the ordinary benefit societies, but 'to combine all that is good in these, and apply it, not only for the relief of the sick, but also to all the emergencies which usually attend trade' and are not included within the scope of an ordinary friendly society. The preface goes on to say that 'It is believed that union for the purpose of mutual relief and help may be made productive of high moral ends; it will foster the habit of providing for the future. . . . And such a Society as this, too, properly conducted, will deepen our respect for law and order; for it is obvious that no society can exist without laws, and those laws faithfully maintained. By maintaining regular correspondence with all parts of the country with reference to all the circumstances which affect the labour markets, it will furnish some valuable lessons in political economy, and enable the members to use the strength which union gives them, without repeating the mistakes which have so often arisen through a limited knowledge and a narrow range of operations. It will also encourage the principle of goodwill and

brotherly love, as it will be incumbent on all the members of this Society who are in employment to use their best endeavours to recommend situations for those who may be out, and at all times to aid and assist them with their best counsel and advice.'

The rules of some other unions of this type lay more stress upon particular grievances or abuses in the trade which they hope to remedy, or define more clearly amongst their objects the conditions of labour which they wish to gain ; and others, again, state with more precision the means which are to be employed. But all unions of this class agree in setting before their members trade protection and insurance against misfortune as objects to be obtained by thrift and conformity to rule on the part of individual members, by the loyal co-operation of fellow-workmen, and by the power and influence which can be wielded only by large numbers acting in organized association.

Amongst the objects of the new unions, the function of providing friendly benefits is either entirely absent, or is relegated to a subordinate position. Its place is often taken by another object—namely, that of exercising direct political influence. The aim of these unions is not so

much to place their members in a position of equality with the employers in arranging the terms of the labour contract as to have the terms of that contract settled for them by legislative action, or, failing this, by trade union regulations. Thus, the objects of the National Union of Gas-Workers and General Labourers are: 'To shorten hours of labour, and to obtain wherever possible an eight-hour working day. To abolish wherever possible overtime and Sunday labour, or, where this is not possible, to obtain their payment at an extra charge. To raise wages, and to obtain for the same work the same wages for women as for men. To abolish all illegal fines. To abolish the present system of contracts and agreements between employer and employed. To settle all labour disputes by amicable agreements or arbitration whenever possible. To obtain equality of employer and employed before the law. To obtain legislation for the bettering of the lives of the working class. To obtain these objects, there shall be established a general fund for the protection and support of all members of the union, by weekly payment to them of 10s. to men and 5s. to women, during labour disputes.'

The prefaces or preambles to the rules of this

class of unions no longer insist upon the means which may be taken by the members to mitigate the evils which attend upon the present conditions of trade, but hold out the hope that some at least of these evils will be entirely removed by a complete reorganization of social and industrial conditions. Thus, the preamble to the rules of the Ayrshire Miners' Union states that, 'If all land and capital were owned by those who produce wealth, the wages of labour would be the whole of the wealth produced by labour; but as land and capital are owned by men who are not labourers, and as labour cannot be performed without these, it follows that those who own land and capital are the masters of those who toil. . . . The principles of trade unionism, properly understood and applied, aim at a reversal of this order of things.' In the meantime, however, the new unions are obliged to look to external forces to perform those beneficent offices for their members which the old unions endeavour to carry out alone. Thus, the elaborate system of the 'vacant book,' with its attendant out-of-work and travelling benefits, is to be replaced by public employment registries and the municipal provision of work, and the superannuation benefit is to be superseded by the universal old-age pension.

But time soon brought a change of attitude, and the obstacle to friendly benefits in unskilled labour societies now arises, not from hostility to the principle of benefits combined with trade protection, but from the difficulty of levying subscriptions on members whose earnings scarcely suffice for their support. The Dock, Wharf, and Riverside Labourers' Union had in 1894 started a funeral benefit, and the National Amalgamated Union of Labour in 1901 expended one-eighth of its income in sick and accident benefit, besides providing funeral benefits to the amount of £1,096.

TRADE UNION BENEFITS

The benefits afforded by trade unions to their members, as has been seen, fall under two heads—viz., trade protection or dispute benefit, which is given by almost every union; and a number of friendly benefits, some of which occur in the majority of cases, whilst some of the most typical old unions provide them all, and some of the most typical new unions provide none of them. The general nature and mode of administering the benefits are as follows: (1) Dispute benefit, or support given to members thrown out of work

by labour disputes, usually takes the form of an allowance of 10s., 12s., or 15s. paid weekly, either for a limited period, or until the dispute is over, or the member has found work elsewhere. In many societies, in addition to the support of the member himself, an allowance is made for his wife and for each child under a certain age. 'Victimized' or 'sacrificed' members—*i.e.*, persons discharged on account of their connection with the society—occasionally receive the same payment as members on strike, but more often receive a higher rate of allowance. In some cases this is equal to the average wages of the trade and locality, or the amount of their wages at the time of dismissal, and in other cases the beneficiaries receive a lump sum instead of, or in addition to, the weekly allowance.

(2) Friendly benefits :

(a) Funeral benefit. Amongst the friendly benefits, the one which occurs most frequently is funeral benefit. In many societies there is a fixed amount which is paid on the death of any member, but in others the amount of the benefit varies with the length of time during which he has belonged to the society ; and in others, again, the amount is raised by a levy of so much upon each member of the society, and therefore depends

upon the number of the members at the time. The majority of the societies which have funeral funds make provision for a grant on the death of a member's wife, and in a few cases the same benefit is extended to the young children of married members or to the parents of single members. The rules of many associations contain directions to be observed by a member in nominating the person who is to receive funeral benefit at his death. It is generally provided that if a member dies at a distance from home, the society shall defray his funeral expenses ; and if the whole sum to which he is entitled be not spent upon them, the remainder is paid to his nearest relative or nominee, or, if not claimed, is considered the property of the society.

(b) Sick and accident benefits are as a rule distinct, some societies giving both, others only sick or only accident benefit. In others, again, no distinction is made between illnesses arising from accidents and those which have other causes. In either case these benefits usually take the form of a certain sum paid weekly for a specified number of weeks, and then of a smaller sum, either for another specified period, after which it stops, or until recovery. In many instances medical attendance and medicine are provided

for members in addition to the sick allowance, and in some of the larger societies a surgeon is elected annually together with the other officers. Accident benefit is occasionally given in the form of a lump sum in place of a weekly allowance. A condition is usually inserted in the rules that members shall not be entitled to accident benefit in case of accidents due to intoxication or disorderly conduct, or to indulgence in dangerous pastimes, nor to sick benefit in illness caused by misconduct, or in case they do not conform to the directions of their medical attendant. In many societies special officers are appointed to visit sick members and see that no deception is practised upon the society, and in other cases the secretary and other officers are required to perform this duty, or to receive reports from the doctor in attendance upon sick members.

(c) The assistance given to members who are out of work takes the form of two distinct benefits—viz., the out-of-work or ‘idle’ allowance, and the travelling or ‘tramp’ benefit—and to these may be added in a few societies an emigration benefit. These benefits are especially characteristic of the older unions in the metal group. Out-of-work benefit is paid in the same manner as the dispute and sick benefits, but in several

societies the amount of the weekly allowance varies with the length of membership and the scale of contributions paid by the member who receives it. A member must as a rule have been without work for a certain number of days before he becomes entitled to out-of-work benefit, but in a considerable number of societies members who are out of regular employment, but are able to earn something by doing odd jobs, or to get work for one or two days only in each week, are allowed out-of-work benefit on a lower scale than those who are totally unemployed.

Travelling benefit is a daily or weekly allowance given to members who travel in search of work, or in other societies a small sum is paid for each mile passed over with this object. Unemployed members may usually receive from the secretary of their society or branch a 'travelling card,' on which is stated the sum which they are entitled to receive at any branch at which they may call. In some cases the route which they must follow is laid down for them, and it is often stipulated that they may not call twice at one branch within a fixed period. In many cases, in addition to the daily allowance, a sufficient sum is provided to pay for a bed in any place in which the member may be obliged to stay all night ; or it is the duty of the

local branch secretary to provide him with a bed. This form of assistance is, however, said to be now much less common than it was, being replaced by the system of the payment of railway fares for members who have found work at a distance, or who remove to a district where there is known to be a demand for labour. This benefit, sometimes known as 'shifting money,' is in several societies extended to the wives and families of members who remove. In some cases the grant is considered as a loan, and must be repaid within a certain period. Emigration benefit is, in fact, 'shifting' benefit on a more extensive scale, and is given by comparatively few societies (*i.e.*, by 16 out of the 100 principal unions). In a few of these the benefit is intended only for members in receipt of dispute or victimized relief, and comes therefore rather under the head of dispute benefit. In most cases there is a stipulation that the emigrant may not return within a certain number of years ; or, if he does so, that he must repay the sum that was granted him.

(d) Superannuation benefit is paid by a small number of unions only, but this number includes some of the oldest and largest societies in the country. In 1901 38 only of the 100 principal unions paid this benefit, but the aggregate

membership of these societies was 566,765, or nearly one-half of the total membership of the whole 100 unions. It is usually granted only to members who are above a certain age, and who have also belonged to the society for a certain number of years, the scale of the benefit often depending upon the length of membership. In a few societies, however, superannuation benefit is allowed to any member who is rendered incapable of work by blindness or other infirmity, irrespective of his age, though as a rule only after a certain length of membership. The benefit is usually given as a weekly allowance, but sometimes takes the form of a lump sum, granted when the member first becomes permanently incapacitated from work. Members who receive superannuation benefit may generally be entitled to funeral benefit by continuing to pay a small contribution, but they are as a rule excluded from all other benefits. They are often at liberty to earn what they can at other occupations, although they are generally precluded from working at their own trade. Expenditure under this head is increasing fast, having risen from £102,578, or 5s. 3d. a head, in 1892 to £202,952, or 7s. 2d. a head, in 1901—an increase of 37 per cent.

In addition to these principal benefits, there

are in some societies minor funds, out of which grants are made under special circumstances. In some cases, for instance, compensation is allowed to members who have suffered the loss of their tools by shipwreck, fire, or other cause, and in a few societies it is given for loss of clothes at sea. The support of the orphan children of members, or special grants to their families in case of exceptional distress, may also be mentioned as instances of these additional benefits.

During the eleven years 1892-1902 the 100 principal unions expended £16,900,000, of which amount over £10,300,000, or 61 per cent., was spent on unemployed and friendly benefits, such as payments to sick, injured, and superannuated members, and on account of funeral expenses. About £3,200,000, or 19 per cent. of the total, was spent on dispute benefit, and the remaining 20 per cent. on working and other expenses. The lowest percentage expenditure on dispute benefit was 9·4, in 1899, and the highest 34·5, in 1897. The following table* gives for the years 1892-1902 the expenditure on each of the principal friendly benefits, expressed as a percentage of the total expenditure :

* *Labour Gazette*, October, 1903.

Year.	Unemployed.	Sick and Accident.	Superannuation.	Funeral.
1892	22·7	14·7	7·0	4·7
1893	24·9	13·2	6·0	4·1
1894	31·3	16·1	8·4	4·8
1895	30·1	19·0	9·4	5·4
1896	21·3	20·1	11·4	6·1
1897	17·1	14·0	7·8	4·1
1898	16·0	18·6	10·7	5·5
1899	14·8	23·8	13·8	7·3
1900	17·8	22·1	12·7	6·7
1901	19·6	20·9	12·1	6·0
1902	23·2	20·1	12·1	5·4
Mean of 11 years	21·7	18·2	10·0	5·4

The actual expenditure of the 100 largest unions on benefits and expenses of management for the year 1901 is seen in the following table, taken from the report of the Chief Labour Correspondent to the Board of Trade :

TABLE SHOWING PARTICULARS OF EXPENDITURE BY THE 100 LARGEST UNIONS IN 1901.

	Amount Expended on Benefits, etc.	Per-centage.
Out-of-work benefit ..	£ 325,866	19·7
Dispute benefit	204,517	12·3
Sick and accident benefit	344,834	20·8
Superannuation benefit ..	202,952	12·3
Funeral benefit	98,815	6·0
Other benefits	114,162	6·0
Working expenses, etc. ..	378,846	22·9
Total ..	£1,655,635	100·0

PECULIARITY OF OUT-OF-WORK AND SUPER-
ANNUATION BENEFITS

Out-of-work and superannuation benefits stand upon a somewhat different footing to the other friendly benefits. It was an essential function of the old trade guilds to provide for the decent Christian burial of their members, and assistance was commonly given by them to those members who were ill or in any special need by means of contributions voluntarily levied for the purpose. It is natural, therefore, that after the disappearance of these societies the trade unions, which to some extent took their place, should have revived the funeral, sick, and distress benefits, and especially so when it is remembered that the earlier unions were obliged to assume the character of friendly societies. But it is sometimes urged that at the present time there is no need for trade unions to provide these benefits, since they have no connection with their essential function of affording trade protection, and can be provided with greater security through the medium of friendly societies proper. It is held that the administration of these benefits entails a much larger official staff, and therefore greater expenses of management, than would otherwise be

necessary, and that their payment is a constant drain upon the resources of the union, crippling its financial position, and to some extent impeding the action of the executive in carrying out the objects of trade protection.

On the other hand, the provision of these benefits affords an additional inducement to men to join the union, and is a still more important source of strength in that it secures the continuance of membership upon the part of those who have once joined, and who would otherwise drop off whenever there was no immediate trade dispute in view. The Bristol, West of England, and South Wales Operatives' Trade and Provident Society affords a striking instance of the part played by friendly benefits in securing the cohesion of a union. This union, which is now one of the largest in England, was established in 1872 with the object of trade protection only. 'The Society,' writes the secretary, 'was continued on that basis for some years, with varied success. As soon as we got means and members, the men struck, drew out all the funds, and we then had to start again. This occurred two or three times.' In course of time friendly benefits were introduced. 'This had the effect of greatly reducing strikes, and of introducing into labour disputes a spirit of

conciliation. . . . We had fewer strikes, good and solid progress was made in regard to the men's work and hours of labour—far more than they had ever made at any period by the most successful strikes that they had ever had.' In this instance, therefore, friendly benefits were a positive help towards obtaining those objects of labour protection which they are sometimes supposed to hinder. It may be noted here that this union also lends money at a low rate of interest and on easy terms of repayment for the purpose of enabling its members to buy their own cottages. Loans are confined to this purpose only, and only 80 per cent. of the value of the house which it is proposed to buy can be borrowed, the other 20 per cent. being provided by the purchaser, whose thrift is thus proved and stimulated. The benefits tend also to promote kindly feeling and the consciousness of common interests amongst the members. The payment of one subscription to cover both trade and friendly benefits is a matter of great convenience to the members, who could not afford, or would not take the trouble, to belong to both a trade union and a friendly society; and by this combination of functions and the large amount of unpaid, or very slightly paid, work—work performed by trade union

officials—the administration of the benefits is managed with far greater economy than would otherwise be possible. That these or other reasons are generally considered sufficient for the retention of the friendly benefits is shown by the fact that the majority of even the new unions have adopted one or other of them, and that the tendency is apparently to add others as soon as the organization of a union is sufficiently consolidated and its financial position sufficiently secure to make it possible.

The above arguments do not, however, all apply with equal force to the out-of-work and superannuation benefits. Out-of-work benefit especially is in some degree peculiar to trade unions, and cannot be properly administered except by members of the same trade; but, on the other hand, these benefits are attended with special difficulties, which render their adoption by some trade unions injudicious, if not absolutely impracticable. One form of out-of-work benefit is, indeed, undertaken by some of the large affiliated orders amongst the friendly societies—namely, the provision of ‘tramp relief’ to members who travel from one branch to another in search of employment. There is also a particular class of the ‘specially authorized’ societies founded with

the express object of providing a benefit for the members when out of work. But the number of the latter societies is comparatively small, and their members often belong to a rather different class from that of the members of ordinary trade unions. It appears, therefore, that for any provision of this kind workmen are as a rule entirely dependent upon trade unions, and the important character of the work thus performed may be estimated from the large sums spent upon them.

It is clear that a very great advantage is thus afforded to the members of these unions, since during a temporary want of employment they are saved from the necessity of seeking poor relief or of competing with the members of unskilled trades. The advantage to the union from a collective point of view is no less important, for the payment of this benefit saves members from accepting employment on terms injurious to the common interests of the trade. But it is also to be noticed that a very serious strain is placed upon the funds of the union during a period of prolonged depression of trade, and that in those trades in which employment is particularly fluctuating and irregular the maintenance of such a benefit would be impossible. It is for this reason probably that no out-of-work benefits are given as a rule

by the unions of dockers and other unskilled labourers.

With regard to the provision of an allowance or pension for workmen who are incapacitated by old age from working at their trade, the superannuation funds of the trade unions appear to have been up to the present the most extensive and most successful means of coping with the problem. The Post Office Savings Bank annuities were the outcome of a desire to make some public provision of the kind, but comparatively few persons have been found to avail themselves of the opportunity thus afforded them of securing an allowance in old age. Some friendly societies also have funds of this kind, but they are generally of too recent origin to have had as yet much success, although no doubt a great future lies before them. It is true that old-age pensions are often provided in the form of continuous sick allowance by both friendly societies and trade unions which do not professedly give superannuation benefits, but this is an irregularity in the administration of these societies which has been often criticised as a source of financial unsoundness, and is now less frequent than it was. The same criticism of financial unsoundness is, however, made with regard to all the superannuation benefits of trade

unions. It is pointed out by Mr. Spender that the method according to which they are given is quite unscientific. 'It rests on no actuarial basis or calculation of the probabilities of life among their respective members. Without using the term in any derogatory sense, it may be called a hand-to-mouth method. There is generally no separation between the superannuation funds and those which are raised for other purposes. The claims are met as they arise year by year; the extent of the benefit depends upon the total resources which the union may have in hand.'* Similar arguments were used before the Commission on Trade Unions in 1867, when two actuaries who were examined with regard to the financial position of the Amalgamated Society of Engineers and the Amalgamated Society of Carpenters and Joiners gave it as their opinion that these societies must be considered insolvent because of their superannuation funds.

The answer was made then, and it has often been repeated, that rigid methods of scientific calculation are not applicable to funds so elastic in their nature and manner of administration as trade union benefits. The power, which almost every union possesses, of calling for extra levies

* 'The State and Pensions in Old Age.'

of varying amounts in cases of special emergency is alone sufficient to invalidate any calculations of this kind, and trade unions have more than once been tided over difficulties by the voluntary temporary renunciation of their claims by the members entitled to superannuation and other benefits. It is also pointed out that up to the present time no large union (with the exception of one for agricultural labourers, which had many elements of weakness) has failed to meet its liabilities to its members. These facts are true, but it is also necessary to remember that probably very few, if any, unions have yet experienced the full amount of strain which may be imposed upon their funds through the superannuation benefit; for the peculiarity of this benefit is that the claims made upon it increase steadily and inevitably year by year, with the increase in the number of the members and the increase in their average age. The increase in the amount of the benefit due to the first cause may be met by the increased subscriptions paid, but for the increase due to the second there is no corresponding compensation, and, from the comparatively recent origin of most unions, it is probable that the maximum average age of the members has not yet been reached.

The strain has, however, in several unions

already become serious. The returns for 1900 show that while the membership of the unions granting a superannuation benefit increased by 179,806, or 44 per cent., between 1892 and 1900, the number of superannuated members increased by 3,932, or 57 per cent., and the expenditure by 85 per cent. The percentage of the total income spent on this object was 13·6. At present the actual numbers are not large, the majority of the societies having less than 3 per cent. of their members in receipt of this allowance, but the rapid rate of increase cannot but give rise to apprehension for the future. Of recent years some societies have formed separate superannuation funds, either by special contributions or by earmarking for this purpose a certain proportion of each member's subscription. In 1897, the latest year for which information under this head is available, the number of such societies was nine.

A practical attempt to meet the difficulty is being made by the Amalgamated Society of Engineers, which at its Delegate Meeting in 1892 instituted a superannuation reserve fund. This fund is raised by a levy of one shilling quarterly from all members who are not in receipt of benefit. The funds so raised and the interest accruing therefrom are invested in municipal corporation stock,

or with members of the union on the security of house property, and are kept apart from the general fund of the society. The fund thus accumulated amounted at the end of 1903 to £201,216 19s. 6½d., and the interest realized during that year was £8,209 19s. Payments to members now on the superannuation fund are made entirely out of the general fund of the society; no part of the reserve fund has so far been touched, nor can it be until its use is authorized by a Delegate Meeting. The next Delegate Meeting will not take place till 1907, and it is probable that the delegates will then decide to continue the fund, which is now increasing at the rate of £25,000 a year, on its present basis. Some arrangement of this kind may be the best solution of the problem, but it must be noticed that it is one which could not be adopted by a union whose hold upon the members was insecure, or whose members were very poor.

Another suggestion which has been made is that the superannuation funds of both friendly societies and trade unions should be subsidized or in some way assisted by the State. This proposal is recommended by the fact that it seeks to render that assistance to the aged poor which is generally felt to be necessary through the medium

of institutions which have been recognised as the embodiment of the principle of self-help. The practical difficulties in the way of its realization appear, however, to be very great, and particularly so in the case of the trade unions. To quote once more from Mr. Spender : ' It is not quite certain whether the payments could be made, as proposed, without creating an impression in the public mind that the State did in some sense or other guarantee the society which it subsidized. In any case it would be necessary to cancel the State contribution in case the society failed to perform its part of the contract, and thus in appearance to double the loss of the individual who had insured himself in an unsound society.' It would also seem inevitable that some public supervision should be exercised over benefits partly supported by public money, and in any case the funds applied to superannuation benefit would have to be kept distinct from those used for dispute or other benefits.

And this involves the much-disputed question of the compulsory separation of funds. Those who advocate legislation to this effect bring forward two main arguments. They urge that the possession of large funds, which may be drawn upon for dispute purposes, is an inducement to a trade union to enter upon a strike, and that it

is a great injustice to the members, who have paid their contributions with a view to insuring themselves against sickness or want of work, or to making provision for their funerals, to take the money intended for these purposes in order to support a strike. To these arguments an answer which at that time seemed sufficient was given by Mr. Ludlow, the late Chief Registrar of Friendly Societies and Trades Unions, in his evidence before the Royal Commission on Labour, and his views on this point were supported by the evidence of Mr. Brabrook, his official successor. These gentlemen maintained that the tendency to employ the benefit funds for strike purposes became less, and not greater, when the unions accumulated important funds, and that the compulsory separation of funds would remove a present motive for avoiding trade disputes.

It may be noticed that the advocates of the new unionism are opposed to friendly benefits, on the ground that they impede the action of the unions as fighting bodies. Mr. Ludlow considered the influence of the benefits in this respect a salutary one, but he laid great stress upon the fact that trade protection is the primary legitimate function of trade unions. I have already stated that such provision (*i.e.*, the compulsory separa-

tion of funds) appears to me to be contrary to the essential purpose of a trade union. People must take that risk when they join them—that inasmuch as it exists, as I have stated, for the maintenance and improvement of the condition of the worker, they must take the risk of every individual benefit being made subordinate to that. If they did not choose to take that risk they ought not to join the trade union, but ought to confine themselves to the friendly society. . . . I do not see how it is possible for the State to interfere with the appropriation of the funds of trade unions so long as they are not for an absolutely illegal purpose. . . . At present I think it would be a very dangerous interference with the operations of these societies, which, I believe, are dearer to the working classes than those of any other description.'

The decision given in the Taff Vale case has, however, placed trade unions in a different position legally from that which they held when this argument was accepted as satisfactory. As the law now stands, the benefit funds of a union are not only jeopardized by expenditure on strike pay, but are at the mercy of legal processes, since it has been decided that union funds are liable to suit on the part of employers for damages done

in the course of a strike. A private Bill to obtain the reversal of this decision is now (June, 1904) before Parliament, but if it should not pass, it would seem that the altered position of the unions in this respect demands a reconsideration of the question of separation of funds. There is nothing to prevent trade unions from placing their benefit funds proper under the protection of trustees, who would be unable to apply the money to any other purposes than those which the trust-deed might define. The savings of working men would thus be assured to them, and their freedom of action would be enlarged ; for, as things are, the fear of losing the savings of a lifetime does unquestionably place the members of a union in a position of servitude to the executive.

Amongst the amendments of the Trade Union Acts which were proposed in evidence before the Royal Commission on Labour, it was suggested that the interest derived from the investment of such portions of trade union funds as are specifically set apart for provident purposes should be exempted from taxation. This was subsequently carried into effect by the Trade Unions (Provident Funds) Act, 1893. The Act applies only to registered trade unions which do not assure to any member a sum exceeding £200, or an annuity

exceeding £30, and defines 'Provident Benefits' to mean and include any payment made to a member during sickness or incapacity from personal injury or while out of work, or to a member who has met with an accident or has lost his tools by fire or theft, or to a member by way of superannuation, or a payment in discharge or aid of funeral expenses on the death of a member or a member's wife, or as provision for the children of a deceased member, where expressly authorized by the registered rules of the trade union.

DISPUTE REGULATIONS AND ATTITUDE TOWARDS EMPLOYERS

With regard to the regulations which are laid down for the conduct of trade disputes, no very marked distinction is apparent between the rules of the old and those of the new unions. The greater readiness with which strikes are apt to be undertaken by the latter class does not therefore seem to be due to any peculiarity in their constitution. There are numerous minor differences in the rules of different societies for the authorization and management of trade disputes, but the following outline may be considered to represent the principal features which are common to the majority of the unions. Whenever a dispute

arises with an employer the member or members concerned are required to lay the case at once before the secretary or other officers of the branch, or, in those societies which have no subdivisions, before the general secretary or Executive Committee. It is the duty of these officials to investigate the matter, and to effect, if possible, an amicable settlement. If they fail in this, a meeting must be summoned to consider the case, and if it is thought sufficiently important, information must be sent to the general secretary, for him to lay before the Central Executive. This body must also attempt to bring about an amicable settlement, and not until it fails need the question of the advisability of a strike be decided.

In some societies the Central Executive alone can sanction or forbid a strike, whether partial or general in character, but in others the consent of a certain majority of all the members, voting by ballot, or of the members present at a General or Delegate Meeting, is necessary before a general strike can take place. In other societies, again, the branch executives or members are allowed to decide with regard to disputes which are confined to their own locality, with only very slight control from the Central Executive or the whole body of members. As a rule, members or

branches that persist in a strike contrary to the decision of the executive receive no encouragement or support of any kind from the society, and in several cases those who take this course are subject to severe penalties or expulsion. When, on the other hand, a strike has been entered upon with the sanction of the society, all members are required to give it their loyal support, and penalties are imposed upon any who take the place of men on strike, or in any way 'accommodate' an employer concerned in the dispute.

When the strike has begun, its general conduct and the final settlement of the dispute are as a rule given into the hands of the Central Executive; but a strike committee is frequently appointed from the men on strike, to distribute the dispute benefit and report to the executive from time to time on the progress of the dispute. In some societies a vote of the members is taken at intervals during a strike, to decide on the expediency of bringing it to a close, but in the majority of cases the Central Executive reserves to itself the right of declaring the dispute at an end. In a few societies, however, the members directly concerned are permitted to enter into negotiations with the employers at any time during the course of the dispute.

The most important distinctions, therefore, between different unions with regard to trade disputes lie in the alternatives of local or centralized, official or democratic, control. The tendency of the best organized unions at the present time appears to be towards the elimination so far as possible of the local element in trade disputes, and the advantages in this respect of a strong central government have been summed up as follows by Professor Marshall: 'The executive of the best unions are shrewd, far-seeing men, resolute, but with great self-control. It is these men whose sanction has to be obtained by any branch that wishes to use the corporate funds in a trade dispute. They come to the question with tempers unruffled by any personal vexations. Their vanity is not enlisted in the continuance of the struggle; they can decide without loss of prestige that it is inopportune or even wrong in principle; and they have nothing to gain, but much to lose, by becoming responsible for an expensive strike that ultimately fails.'

Admirably fitted, however, as this central body often is to direct the action of the union with wisdom and moderation, its authority is generally not allowed to become despotic. It is becoming more and more usual to submit all important

decisions with regard to trade disputes, as well as other matters, to the vote of all the members, obtained by means of ballot-papers. The disadvantage of this system is sometimes seen when the rank and file of the union insist upon carrying on a dispute in an injudicious manner, or for the sake of an unsound principle, contrary to the advice of the leaders, whose wider experience and better-trained judgment enable them to recognise the error. On the other side, the enthusiasm of the members is roused and their loyalty secured in a struggle thus entered upon by their own decision in a way which would not be possible if the step had been taken by the leaders alone. It is probable, moreover, that the very fact of sharing in the responsibilities of such decisions as much as in their consequences is the best, if not the only, means by which the members as a body can learn to form correct judgments upon these matters.

In connection with the subject of disputes it may be noticed that the rules of several societies require that at some stage in a dispute the Branch or Central Executive shall offer to submit the matter to arbitration or conciliation, and in a few cases it is expressly stated that if this offer is rejected, or not answered in the first instance,

it must be repeated a second time. In many other cases the settlement of disputes by arbitration and conciliation is strongly recommended, and the officers and members are urged to adopt these methods whenever the employers will consent to do so. There are a few societies also which have joined with the employers in forming permanent boards of conciliation, to which all disputes must be referred.

In order to prevent as far as possible the occurrence of unnecessary disputes, several unions attempt to regulate in certain respects the attitude and behaviour of the members towards their employers. This sometimes takes the form of forbidding members to boast of their independence towards their employers or foremen on account of their membership of the society, and a fine or other penalty imposed upon members who break this rule. Abusive, threatening, or insulting language towards employers is also forbidden by the rules of several associations, and a few direct that meetings to discuss grievances shall not be held on the employer's premises nor during working hours. Many expressly forbid any breach of contract or act of dishonesty on the part of members towards their employers, and refuse any assistance to members discharged

for these reasons, whilst a few inflict severe penalties upon those who are guilty of such offences. At least one large society—that of the Boilermakers and Iron and Steel Shipbuilders—goes further still, and undertakes to compensate employers for any loss occurring to them in consequence of bad workmanship or breach of faith upon the part of members, and recovers the amounts thus paid by fines imposed upon those members who are at fault.

The rules of some societies contain regulations with regard to the employers for whom members may or may not work, and a few unions publish lists from time to time of shops which are ‘closed’ to members on account of their not conforming to the rules of the society.

REGULATIONS WITH REGARD TO NON- UNIONISTS

The rules of a large number of societies impose certain restrictions upon the members in their intercourse with and relations to non-unionists ; and several other societies, such as the National Amalgamated Union of Labour, the Dock, Wharf, Riverside, and General Labourers’ Union, and the National Amalgamated Sailors’ and Firemen’s

Union, which do not embody such regulations in their written constitution, do in practice expect their members to conform to them when possible. The conditions thus laid down fall into the following five classes : (1) Regulations which forbid members to find employment for non-unionists. (2) Regulations which forbid members to teach or help non-unionists in their work. (3) Regulations which forbid members to work in the same establishment with non-unionists. (4) Regulations or actions which are intended to force all those employed in the trade to join the union. (5) Regulations or actions which are intended to limit the number of unionists, and at the same time to prohibit the employment of non-unionists. It will be noticed that the first three of these conditions do not necessarily involve interference with the liberty of action of any persons except the members of the union. Regulations of this nature, moreover, generally form part of the written rules of a society, and therefore the members, upon joining, voluntarily submit to them as to other regulations.

The other two classes of actions or regulations stand on a different footing, in so far as they imply restriction of the liberty of action of non-members—namely, of employers and non-unionist

workmen. Their legitimacy is, therefore, far more questionable, and, in fact, though they are put into practice by many unions, they seldom form any part of the written rules.

The regulation which most frequently occurs is that which prohibits members from finding employment for non-unionists, either as a general rule or if there are any members in want of work at the time. This of all the restrictions enumerated is the least open to hostile criticism, for it is the almost inevitable consequence of the important function performed by a union in serving as a labour registry for its members. It is clear that its success in this respect depends chiefly upon the mutual helpfulness of the members, and would of necessity be impaired if help were extended in an equal degree to non-members. The regulations which forbid members to teach their trade to non-unionists are frequently intended to prevent the competition of workmen who have not served the apprenticeship which is required by the union rules. They may, therefore, be defended on the ground that they tend to keep up a high standard of workmanship in the trade. But in other instances these regulations, like those which forbid members to lend their tools to non-members, or to assist them in

their work, are intended merely as an inducement to non-unionists to join the union. Since such restrictions refer for the most part to mere voluntary acts of kindness, they cannot be said to inflict any serious injury upon non-unionists, or to interfere with the duties which the members owe to their employers. It must, however, be remembered that when the proportion of unionists to non-unionists in any establishment is large, such regulations may cause serious inconvenience, and the inducement to join the union changes its character from one of moral suasion to one of compulsion.

Compulsion is still more likely to be the result of a regulation which forbids the members of a union to work at all in the same establishment with non-unionists. The right of every workman to exercise a free choice with regard to the conditions under which he will sell or withhold his labour is now generally recognised, and this right would be infringed if he were compelled to work in an establishment or with other workmen that for any reason were obnoxious to him. It is evident, therefore, that any unionist who objects to work with non-unionists is justified in leaving an establishment in which they are employed to find work elsewhere. But when

the same right is exercised by a large body of unionists, who object to working with an isolated non-unionist, it appears less just; for in this case the result is intended to be, and probably is, not that the workmen who object will give up their situations, but that the workman who is objected to will be forced to relinquish his, unless he will consent to join the union. It is true that his freedom of action is in this way interfered with, just as the freedom of action of a unionist is interfered with when he is unable to find work in a district where the employers have agreed to employ non-unionists only. But the free exercise of their legitimate powers upon the part of a majority must generally involve some restriction of the free action of the minority, and any interference with the action of the workmen in the one case or of the employers in the other would be a more serious infringement of the right of the two parties to a labour contract to fix its terms than that which it is intended to remedy. In practice some rough adjustment of the difficulties which may thus arise is generally arrived at by the employment in some establishments of unionists only and in others of non-unionists only.

The members of some unions go much further

than this. They not only assert their own right to refuse to work with non-unionists, but they deny that non-unionists have any right to work at all. It has for many years been believed and taught by the majority of trade unionists that every workman is to some extent under a moral obligation to join a union. The members of the older and best established unions have, as a rule, trusted to the power of persuasion and the influence of the benefits which trade unionism is seen to confer to induce the majority of the workmen in course of time to join the union. At intervals, however, the members of other unions have become dissatisfied with such gradual and partial methods, and have endeavoured to force all the workmen in their trade to join the union at once. The acts of violence and intimidation towards non-unionists and their employers which have been resorted to with this object were more frequent before 1867 than since, and are now condemned by the leaders in almost every union. At the same time, it must be noticed that in recent years there has been some revival of this conduct in connection with the organization of unskilled labour. A form of coercion which is of modern adoption, and which has not been discredited by labour leaders in the same way as the methods

already referred to, is that of boycotting the employers of non-unionist labour through the sympathetic action of the members of allied trades—as, for instance, when coal-porters refuse to unload a vessel which is manned by non-unionist sailors.

The advocates of restriction are accustomed to urge that, although some inconvenience is thus inflicted upon non-unionists, this may at any moment be avoided if they will consent to join the union: they will then enjoy all the benefits which the society confers upon its members. This course is, they maintain, a simple act of justice, since non-unionists share to some extent in the higher wages and other improved conditions of labour which are due to the action of the unions without taking any part in their support. Further, since the competition of non-unionists weakens the position of the union, unionists are compelled in self-defence to bring all non-unionists, if possible, within their ranks. To give these arguments their full force there should be no restriction placed upon the numbers in a union. Limitation of numbers is, however, an avowed object of some unions. It is indirectly brought about in some skilled trades by the action of those union regulations which require all

candidates for membership to have served a certain term of apprenticeship, and at the same time restrict the number of apprentices. Since, however, the latter regulation also restricts, as far as it can be enforced, the number of workmen in the trade, the limitation of the membership follows from it in a natural manner.

Other trades have endeavoured to reverse this process, and to limit the number of workers in the trade by limiting the number of unionists. This is sometimes done by fixing an arbitrary maximum for the membership of the whole union or of each branch, and when this is reached no new members are admitted. In other cases the limitation is effected indirectly by imposing such heavy entrance fees that it is only the more fortunate members of the trade who can pay them. It is, however, only in those rare cases in which the members of a trade enjoy a natural monopoly, through the possession of some special skill or peculiar physical strength, that limitations of this kind are likely to succeed.

When they have been applied to unskilled trades they have resulted either in the establishment of rival unions or in the gradual growth in numbers and strength of a body of non-unionists.

CONSTITUTION AND GOVERNMENT OF TRADE
UNIONS

The majority of trade unions admit members of two kinds—viz., ordinary and honorary members. Foremen and employers are sometimes allowed to join the society in the latter capacity, as well as other persons who are not eligible for ordinary membership. Honorary members are often required to pay a higher entrance fee than other members, but are generally allowed to pay a voluntary annual subscription. In a few societies they are eligible for the offices of vice-president and treasurer, but they are very seldom entitled to vote or to receive any of the benefits of the society. Ordinary membership is usually restricted to workmen employed in one particular trade, and in many societies amongst the skilled trades candidates for admission must have served a formal apprenticeship. In other cases they are required to give some proof of their efficiency as workmen, by showing either that they have worked at their trade for a certain number of years, or that they are able to earn the minimum rate of wages recognised by the union.

Some of the organizations of unskilled labour, however, admit members from any trade, without restrictions of this kind.

A limit of age is usually fixed for admission, the range being from twenty-one to forty-five years in the majority of societies, but extending to sixteen as a minimum and to sixty as a maximum in a few instances. Youths who are below the minimum limit of age may sometimes be admitted as 'half' members, paying half contributions, and being entitled to half benefits, and persons who are too old for ordinary membership are often admitted as 'trade' or 'protection' members, who pay lower contributions, and are entitled to dispute benefit only. The amount of the entrance fee varies greatly in different societies, and is often graduated according to the age of the intending member. In some unions in the highly-skilled trades the fees range from about 10s. to £2 or £3, according to age; but in unions of unskilled labourers they are sometimes as low as 6d. or 1s. The contributions also, which are paid weekly, fortnightly, or monthly, or in a few cases quarterly, are very various in amount, ranging from 1d. a week to 2s. 3d. in different societies, according to the ability of the members to pay and the benefits which are granted by the society. In a few cases there are different rates of contributions in the same society, with corresponding differences in the

benefits to be received. Apprentices usually pay at a lower rate than journeymen, and so do female workers in those societies which admit them.

The form of government is very similar in all societies. The transaction of ordinary business is generally in the hands of an executive, which consists of certain officers and a council or committee, whilst the supreme government of the society is vested in a larger body, which in the case of the more extensive unions is usually a Conference or Delegate Meeting, and in the smaller is often a General Meeting of the members. The principal officers are the president, general secretary, treasurer, trustees, and auditors. Some of the most important societies, and especially those which belong to the new unions, appoint an agent or organizer, who arranges deputations, holds public meetings, endeavours to form new branches, and acts as the representative of the society in all general movements for advancing the interests of the trade. The officers serve for varying periods in different societies, but are often elected annually by ballot or show of hands at a General or Delegate Meeting. In some cases the members of the Executive Council or Committee choose a chairman by co-option, and occasionally have power to elect the other

principal officers. The election of the general secretary is, as a rule, determined by the votes of the whole body of members, and in many cases the office is permanent, subject to the continued approval of the members. This is also the case in some societies with regard to the office of organizer or general agent. The other members are sometimes elected at a General Meeting, and sometimes are representatives of the different branches.

The rules of most societies lay down regulations for the formation and government of branches under the control of the governing or central branch. The branch government is usually a copy on a smaller scale of that of the central association, but branches are frequently allowed to make by-laws for their own government, subject to ratification by the Central Executive. In the larger societies the branches or lodges often are, or may be, grouped into districts or provinces, and special officers and meetings are appointed to govern these divisions. Almost every society makes some provision for the alteration of its rules. Generally new rules may be added, or existing rules altered or rescinded, by a General Meeting or Conference of the society only, and in many cases a certain length of notice of

the proposed alterations must be given before they can be discussed. The majority of the societies also make provision for an appeal on the part of members who are aggrieved by, or dissent from, a decision of one administrative section of the society to that of a higher one. Thus members may generally appeal from the branch executive to the branch general meeting, from this to the district executive, and from the district to the Central Executive. In many cases there is a further appeal to a General or Delegate Meeting, the decision of which is final.

It will be seen that the government of a trade union is fundamentally democratic. It is the whole body of members who must in the first instance approve the rules by which they are governed, and who alone can sanction any alteration in them. It is the whole body of members, again, who directly, or through their representatives, appoint the principal officers, and to whom the latter are responsible; and if disputes arise within the union, it is the whole body of members who usually constitute the final court of appeal. This was insisted on by the secretary of the Boilermakers' and Iron and Steel Shipbuilders' Society, when in his evidence before the Royal Commission on Labour he pointed out that

although the executive of that society wields an almost autocratic power, it is the members themselves who confer this power upon it. The extent to which the executive is thus invested with authority does, however, form an important distinction between the constitutions of different societies.

This distinction has been already referred to with regard to the management and control of trade disputes, and is equally of importance in all that concerns the internal administration of the union. Trade unions are in danger of falling into one of two opposite extremes. If the authority of the executive is very much curtailed, insubordination and want of discipline will make themselves felt amongst the members. There are always some among the younger members of a union who become impatient of what they consider over-caution or cowardice upon the part of the leaders. They have no immediate interest in the friendly benefits, and they are therefore willing to risk the loss of the accumulated funds by entering hastily into trade disputes. Having had no experience of the difficulties involved in the management of a union, they are anxious to revise its constitution and to rescind any rules which appear irksome. If, upon the other hand,

the executive are entrusted with a too absolute authority, they are apt to fall into an official routine, and to disregard the wishes of the members. They come to attach too great importance to the accumulation of funds, and are inclined to subordinate the protective function of the union to that of providing friendly benefits. They are tempted to make the machinery of government unnecessarily elaborate, and by multiplying offices to increase the expenses of management. The younger workmen in the trade are no longer attracted into a union from which they can expect to derive no immediate advantage and in the government of which they can take no share, and the members consequently lose their enthusiasm and tend to fall away.

In the best organized unions both extremes are avoided. The Central Executive is invested with an almost absolute authority over each individual member and branch of the society, and empowered to punish acts of disobedience or misconduct with severe fines, or in extreme cases with expulsion ; but it is in all respects responsible to the whole body of the members, and refers to their decision upon all important questions by means of a general ballot. The authority of the executive is in some societies exercised by that

body as a whole, and in others is in the hands of some of the more important officers. The position of the general secretary is often unique in character, inasmuch as his appointment is permanent, and he is responsible only to the members as a whole, and not to the rest of the executive. In these cases his influence may easily become paramount in the society, and the government is virtually the supremacy of one man. Whatever may be the form of government, however, every union depends for its success to a great extent upon the character and capacity of its individual leaders. It is their prudence and good judgment, their power of leadership and the confidence which they inspire in the members, their firmness in maintaining the principles in which they believe, and above all their readiness to sacrifice their personal interest, if need be, which alone can keep the members together in times of difficulty and depression, and impress the need of moderation and just action upon them in prosperity.

AMALGAMATIONS

No distinction has hitherto been made between amalgamations and unions which have branches. An amalgamation was defined by Mr. Clem

Edwards, in his article on 'Labour Federations' in the *Economic Review* for June, 1893, as 'a form of association in which several unions cease their separate existence and become completely merged into one organization, with a common fund and subject to one supreme executive control.' In constitution and government, therefore, there is no important difference between amalgamations and other unions, and, indeed, the chief distinction which can be made is that the branches of an amalgamation often differ from each other with regard to local by-laws and benefits more than is the case in a society in which all the branches have been established under the control of the central association. In some cases the separate unions which unite to form an amalgamation are local societies composed of the same class of workmen. The unions which joined together to form the Mutual Association of Coopers in 1878, and those which formed the United Journeymen Brassfounders' Association in 1866, were of this character. In other cases an amalgamation is formed by the union of societies which represent closely allied branches of an industry. Thus, before the year 1850 the various branches of the engineering trades had each a separate union, but in that year conferences were

held between them, which resulted in the formation of the Amalgamated Society of Engineers, Machinists, Millwrights, Smiths, and Pattern-makers, better known under the shorter title of the Amalgamated Society of Engineers.

The advantages of a large amalgamation over small isolated unions are easily perceived. It has already been pointed out that an amalgamation enjoys the strength of numbers and the wisdom that accompanies a wide outlook, and is free from local and personal sources of irritation.

Another advantage which is enjoyed by societies whose operations cover a wide area was pointed out by Mr. Ludlow in his written evidence laid before the Commission on Trades Unions. He then stated that he considered the amalgamation of unions in the same trade as 'purely beneficial, since it enables the society to overlook a wider field of employment, and to regulate more scientifically and effectively its department of the labour market.' It is also a great advantage to members that in removing from one neighbourhood to another they should not be obliged to give up their membership of one union and join another, which is the case when unions are purely local.

SPECIAL DIFFICULTY OF ORGANIZING UNSKILLED
LABOURERS

Whenever a distinction is drawn between old and new unions it must be borne in mind that many of the characteristics of the latter class arise from the fact that they are, as a rule, unions of unskilled labourers. The point which is perhaps of most importance is the poverty of unskilled labourers, and the low rates of contributions which are therefore necessary in their unions. This acts disadvantageously in two directions: firstly, it renders it difficult or impossible for these societies to provide friendly benefits, and it has been already pointed out that these benefits contribute largely to the stability of a union; secondly, the expenses of management have to be curtailed as far as possible. Some unions of skilled labourers are able to give several of their principal officers salaries sufficiently large to enable them to devote all their time to the work of the union, and at the same time often have among their members a number of men who are capable of undertaking subsidiary clerical or organizing work, and are willing to perform it in their spare time for little or no remuneration. The poorer unions of

unskilled labourers are here at a double disadvantage. They are unable to offer large salaries to their paid officials, while there are very few amongst their members who are either qualified by education or enjoy sufficient leisure to undertake voluntary work for the union.

It is for this reason that attempts to organize unskilled labour were in the early stages of the movement more or less dependent upon the efforts of outsiders, whose help seemed to be almost indispensable to their success. This fact was, however, an element of weakness ; for, on the one hand, such unions were exposed to the danger of falling under the leadership of professional agitators, and, on the other hand, however really disinterested the leaders might be in their management of the affairs of the union, the members were more ready to distrust and to resent the authority of those whose personal interests were not identical with their own. The long hours worked by some unskilled labourers are, again, an obstacle to their organization, since they not only debar them from taking a direct share in the government of their society, but hinder them from attending meetings, and thus keeping up their interest by intercourse and discussion with their fellow-workmen. A further difficulty lies in the

fact that no apprenticeship or special training is necessary in unskilled trades. The men who crowd into them have no trade traditions and no *esprit de corps* to hold them together, though this is sometimes replaced by a common local interest, such as that which unites the dock labourers of Liverpool. They often come from more skilled trades in which they have failed, or from which they have been pushed out by the introduction of machinery ; or they may be men who have been too deficient in ability, character, or opportunities ever to think of entering a skilled trade. These heterogeneous elements compete with one another for employment, and resent each other's competition. Such men require a lengthy process of education in the advantages of organization before they learn to regard their interests as mutual or to stand by one another loyally when difficulties arise. For the same reasons their work is always open to the competition of non-unionists who may be brought in from other districts and from other trades in case of a labour dispute, and the influence of the union is thus rendered less than in a trade which is closed to outsiders by the special skill required.

Again, there are certain unskilled trades which

are peculiarly liable to fluctuations in the number of men employed. Thus, gasworks require a much larger number of stokers in the winter than in the summer, and in the docks there are great variations in the number of men employed at different seasons. In some cases it happens that two trades will dovetail in with one another, as when the men who work in brickfields in the summer go to the gasworks in the winter ; but in other instances the workmen are thrown entirely out of work for a time. Either case presents a serious difficulty in the way of organization ; for men who work for part of the year at one trade and at one or more different trades for the remainder do not identify themselves with any occupation sufficiently to join a union which is restricted in its membership. This difficulty has, however, been overcome in most unions of unskilled labour by throwing open the membership to workmen of all trades, or by forming special branches for those engaged in particular industries. Thus, the Gas-Workers' Union now receives members of any trade into membership, and the same policy is adopted by the Dockers' Union. In cases where the workmen are from time to time without any employment the difficulty of organization is far greater ; for, however small the

contributions may be, it is not possible for such men to pay them regularly, and therefore they are constantly falling out of membership.

LEGAL PERSONALITY OF TRADE UNIONS

Much discussion has arisen on the question of the legal personality of trade unions. The question was raised in connection with the Report of the Trade Union Commission of 1869. The opinion which then prevailed, and which was embodied in the Trade Union Acts of 1871 and 1876, did not allow trade unions to have any legal rights as against their members, or their members against them, nor did it allow them to enter into any legally enforceable contracts as bodies with each other or with outside individuals, except with regard to the management of their own funds and real estate. It has, however, been sometimes urged—and this was the view taken by the Chairman and certain other members of the Royal Commission on Labour in their Observations appended to the Final Report—that ‘the experience of the period which has elapsed since the year 1871 justifies some relaxation of these statutory restrictions.’ Since a considerable part of the industry of the country is at present

carried on under collective agreements made in a formal manner between industrial associations, it was felt that 'further legislation is desirable in order to bring the law into harmony with the present state of facts and public opinion.' It was therefore proposed that trade unions should have the power of acquiring by some process of registration a larger legal personality and corporate character, sufficient to allow of their entering into legally binding collective agreements, and suing or being sued. The advocates of this extension of the powers of incorporation considered, to quote once more from the Observations appended to the Final Report of the Labour Commission, 'that the contracting association should be responsible for observance of the collective agreement by all its members, so long as they remained its members, and that every member of an association should during membership be held to be under a contract with the association for observance of the collective agreement. The effect of this would be (1) to give to those entering into contracts with an association the right to sue it for damages in case of breach of contract by it or any of its members, and (2) to give an association the right to recover damages from those of its members who infringed the

collective agreement.' The question was raised in the law-courts by the Taff Vale case, and finally decided by the House of Lords in July, 1901. In August of the preceding year the employés of the Taff Vale Railway Company went out on strike, and the company entered an action against the Amalgamated Society of Railway Servants, as being corporately responsible for the acts of its members. The case was decided in favour of the railway company. The union then appealed against this decision, and obtained its reversal, but the company took the case before the House of Lords, which, on July 22, 1901, gave a verdict which recognised the corporate responsibility of the Amalgamated Society of Railway Servants. The Lord Chancellor said on that occasion: 'If the Legislature has created an institution which can hold property, which can employ servants, and can inflict damages, it must, in my opinion, be admitted that it has implicitly given the power to make it sueable in a court of law for injuries purposely done by its authority and procurement.'

The Amalgamated Society of Railway Servants was in consequence ordered to pay the costs of both cases, in addition to damages, amounting to £23,000. The Taff Vale case, then, decided that a

registered trade union can be sued in its registered name for wrongs committed by its officers—a decision which has such far - reaching results upon trade unions that it has naturally aroused vehement opposition from trade unionists, and the Parliamentary Committee of the Trade Union Congress of 1903 was directed to prepare a Bill which would restore the law to the position it had held prior to the Taff Vale decision. This Bill was introduced into Parliament, and passed a second reading on April 22, 1904, by a majority of thirty - nine. The object of the Bill is to legalize peaceful picketing and to relieve unions of any liability in respect of their funds for the actions of their officers or members. A similar Bill introduced the previous year was strenuously opposed by the Government, and a Royal Commission on Trade Disputes and Trade Combinations was appointed, and is still sitting. It has failed, however, to command the confidence of the workers, because its members include a prominent employer, but no recognised representative of labour.

CHAPTER III

LARGER ORGANIZATIONS OF TRADE UNIONS

FEDERATIONS

THROUGHOUT the history of trade unionism a belief has existed that the advantages of amalgamation might be further extended by federating together unions representing different industries ; and the efforts which have been made in this direction have in many cases met with a considerable amount of success. The first organization of this nature appears to have been the National Association for the Protection of Labour, established in 1830, which at one time embraced 150 separate unions, but existed for only about three years. It was succeeded by the Grand National Consolidated Trade Union, which, like the former society, was at first connected chiefly with the building trades, and declined in

power after the building trades organizations were broken up by the great lock-out in London in 1834. The National Association of United Trades for the Protection of Labour, which was founded in 1846, was a more methodical attempt to federate unions of various branches of industry, and for a few years it was very active, but afterwards declined in consequence of internal dissensions, and was finally dissolved in 1861. During the latter years of its existence it had directed its attention chiefly to the furtherance of conciliation and arbitration as means of settling labour disputes, and in 1853 and 1854 it was three times successful in acting as mediator or intervening to bring about conciliation in disputes in which the bargemen connected with the Cheshire salt trade, the bobbin-turners of Holme, and the wire-workers of Birmingham, were respectively concerned. It was also in a great measure owing to the efforts which had been made by this society that Lord St. Leonard's 'Act to establish Equitable Councils of Conciliation to adjust Differences between Masters and Men' was passed in 1867. The United Kingdom Alliance of Organized Trades, which was inaugurated at Sheffield in 1865, was designed to include all the trade unions in the United Kingdom. It became partly

identified, however, with some of the notorious trade unionist outrages at Sheffield, with the result that the society was discredited and soon came to an end. During the next period of trade union history, from 1867 to 1889, the attempts to form federations were of a less ambitious character and confined to a smaller area. Thus, the London Working Men's Association endeavoured to unite all the London unions, but did little in the way of general organization, and devoted its efforts chiefly to promoting political agitation with regard to labour legislation. It existed for a few years only. In 1878 the Durham County Mining Federation was established, embracing the separate county unions of miners, colliery engineers, colliery mechanics, and cokemen and labourers, and in 1888 a similar federation of colliery workmen was founded in South Wales and Monmouthshire. The Midland Counties Trade Federation, which includes trade societies of persons 'employed in or about collieries, iron-works, factories, workshops, etc.,' was founded in 1886, and, like the two former societies, is still in existence. The idea of a general federation of labour had not, however, been abandoned, and special attention was directed to it in 1873, in consequence of the formation of the National

Federation of Associated Employers. The subject was brought before the Trade Union Congress for discussion in 1873 and 1874, and was referred to the Parliamentary Committee. This body drew up a draft code of rules for a general federation, which was submitted to a conference of delegates from the various trade unions. The societies did not then take the matter up, and an attempt to revive it in 1879 proved equally unsuccessful.

The third period of trade unionism, which began in 1889, has witnessed the formation of several important federations. The first of these was the Miners' Federation of Great Britain, founded in 1889. The total number of miners in the federation was given as 344,412 at the end of 1901, and, in addition to the miners' unions, the federation includes the National Amalgamated Coal-Porters' Union, while for certain purposes the Sailors' and Firemen's Union is affiliated to it. The Federation of Engineering and Shipbuilding Trades of the United Kingdom was founded in 1890, in opposition to the recently established Employers' National Federation of Shipbuilders and Engineers. The Printing and Kindred Trades Federation was also formed in 1891, and the London Building Trades Federation

in 1892. The question of a national federation of all trades was again brought up at the Trades Union Congress in 1889, when the Parliamentary Committee were requested to draw up some scheme for the consideration of the next Congress. A modification of the scheme prepared in 1875 was accordingly laid before the several unions, but no resolution with regard to it was passed at the Congress. A desire for the further development of federation was expressed at the Delegate Meeting of the Dock, Wharf, Riverside, and General Labourers' Union in September, 1893; and, accordingly, at the Norwich Trade Union Congress in 1894 a committee was appointed for the purpose of drawing up a scheme for the federation of kindred trades, and, if possible, of all trades. A scheme was submitted to the Congress at Cardiff in 1895, according to which the unions in kindred trades should be formed into groups under an executive committee composed of delegates, and the groups again united under a General Council and Central Executive Committee. It was not until 1899, however, that this long series of efforts resulted in success. In January of that year a special Congress of Trade Unions was held at Manchester, and a General Federation of Trade Unions was consti-

tuted, including unions with a total membership of 373,290. This Congress took as its basis a scheme which had been drawn up by a committee appointed by the Trade Union Congress of 1897. The objects of the federation were stated as follows :

‘ The objects shall be to uphold the rights of combination of labour ; to improve in every direction the general position and status of the workers by the inauguration of a policy that shall secure to them the power to determine the economic and social conditions under which they shall work and live ; to secure unity of action amongst all societies forming the federation ; to promote industrial peace, and by all amicable means, such as conciliation, mediation, references, or by the establishment of permanent boards, to prevent strikes or lock-outs between employers and workmen, or disputes between trades or organizations : where differences do occur, to assist in their settlement by just and equitable methods ; to establish a fund for mutual assistance and support, and for carrying out the foregoing objects.’

The entrance fee was fixed at 1d. per member, and the quarterly contributions at 6d. or 3d. per member, the corresponding benefits being fixed

at 5s. and 2s. 6d. per week after the termination of the first six days of a dispute.

At the end of 1901 seventy-five unions, with 420,606 members, were affiliated to the General Federation of Trade Unions. The majority of the membership was made up of unions in the metal, engineering, and shipbuilding trades, and unions of general and dock labourers, these two classes representing a membership of about 160,000 and 100,000 respectively. The textile and clothing trades were represented by a membership of about 50,000 each, miners being wholly unrepresented, and the building trades represented only to a slight extent.

According to the Board of Trade Report on Trade Unions for 1897, 'a "federation" is taken to mean an association either of trade societies connected with the *same* industry, or of societies belonging to *several* industries with varying degrees of relationship. Federations are organized for certain specific purposes, with limited and defined powers over the constituent societies, such powers varying very much according to whether the federation is one of unions of the same or several distinct industries. . . .

'Some federations possess most of the powers of a trade union organized for trade purposes

only; others are organized for the regulation of the mutual relations of unions engaged in different and varied occupations, but belonging to the same industrial group; while others, again, are more like trade councils, from which they differ hardly more than in name. Another variation in federations arises from the extent of the area covered, many being confined to one town, others embracing large districts, while some include all, or nearly all, of the trade unionists in the trade or trades with which they are connected.

‘Building federations are mostly formed of allied or kindred trades, and are generally of a local character. The metal and printing groups are also mainly federations of several trades. On the other hand, the mining and textile groups are largely formed of federations of unions belonging to the same trade.’

The special objects of the principal modern federations are of a similar nature to those quoted above. The Federation of Trades and Labour Unions connected with the Shipping, Carrying, and other Industries, aims at legislation for the benefit of members, negotiation between employers and men, arbitration in internal disputes, and, if necessary, the withdrawal of all the members in support of a society on strike. The Federation

of Engineering and Shipbuilding Trades desires to protect any society included amongst its members which is attacked by employers, to obtain the abolition of the character note system, and to promote arbitration and conciliation in trade disputes. The Miners' Federation and the Midland Counties Trades Federation both aim at protecting their members with regard to wages and hours, and at assisting them in obtaining compensation from their employers in case of accidents. These societies grant dispute benefits to members in case of strikes, but the two former federations have no benefit funds at all. The Midland Counties Trades Federation is rather different in character to the other three under consideration, as it appears from its rules to admit individual members of trade societies, whereas the others admit societies alone to membership; and the Miners' Federation is so strict upon this point that it will not admit any section of a county where a county organization exists, but only the organization as a whole. The government of these federations is very similar to that of a large union, the federated societies sending representatives to the Executive Council or annual conference, as the branches are represented on the Central Executive of an

amalgamation, and these representatives are generally entitled to a number of votes in proportion to the membership of their societies.

The period 1890-1896 was the one in which the federation movement went on most rapidly, no less than 103 out of the 130 federations recorded in 1896 having been formed during those years. The maximum number of federations yet attained is that of 1896—viz., 130; in 1901 the number had sunk to 107, but the membership was 1,778,444, as compared with 1,141,318 in 1896.

Three elements appear to be necessary to the success of any federation. The first of these is that the societies of which it is composed should be strong organizations in themselves, since any weakness in the parts must constitute a weakness in the whole. Thus, the Parliamentary Committee of the Trades Union Congress, in submitting their scheme for a general federation in 1875, stated that 'a federation to be really powerful should be exclusively composed of trades already organized on a sound financial basis, capable of successfully grappling with any ordinary difficulty, and only needing the assistance of the federation in cases of great emergency.' The second condition of success is closely con-

nected with the first, and is, indeed, indicated in the above quotation. It is that the sphere of action of a federation should be strictly limited to matters in which general principles are involved or which affect the interests of members of all the federated societies. In order that this may be possible, the third element of success becomes essential—namely, that there should be common interests amongst the societies which form the federation. This condition was not observed by the founders of the earlier federations, who endeavoured to unite all the unions in one locality or throughout the country, irrespective of the trades to which they belonged. The promotion of trade unionism and the protection of labour against capital did not, however, as abstract principles, prove motives sufficiently strong to overcome the disintegrating influence of the unconnected and sometimes conflicting interests of the members of widely different trades. Internal dissensions, therefore, brought about the ruin of these organizations, generally after a very short existence. The more recent federations have been established on a different principle. They aim at extending over the whole area of the United Kingdom, and in some cases even beyond it; but their membership is restricted

to societies which belong to a closely allied group of trades, and whose chief interests are therefore mutual. This is particularly evident in the cases of the Miners' Federation and the Federation of Engineering and Shipbuilding Trades. The Federation of Trades and Labour Unions connected with the Shipping, Carrying, and other Industries does, it is true, embrace a more heterogeneous group of unions, but the majority of these belong to unskilled trades, and it has already been pointed out that the facility with which unskilled labour can pass from one industry to another renders it impossible to draw hard-and-fast distinctions between the organizations of different branches.

Even supposing that all the elements necessary for the formation of a strong and successful federation were present, some doubt is expressed even amongst trade unionists as to the desirability of its formation. Thus, Mr. Glennie, in his evidence before the Royal Commission on Labour, stated that in his opinion a federation increased the frequency of disputes in each federated union, since it became involved in the disputes with which the other unions were concerned as well as in its own. It has already been pointed out, however, that a federation should not give its support to any society which is concerned in a dispute

peculiar to its own trade and circumstances, and the circular which was issued by the promoters of the Federation of Engineering and Ship-building Trades contained the words : ‘ We do not want a federation to which we can run for assistance in every little contest, but one composed of organizations capable of coping single-handed with any ordinary difficulty.’ If this principle is adhered to, therefore, the advocates of federation maintain that the federated unions will not be drawn into any disputes but those in which their own interests are involved. They urge, further, that the frequency of disputes is diminished rather than increased through the extended scale of organization, since employers will be inclined to treat the federated unions with more respect than isolated bodies, and will be less likely to attempt to crush them. Moreover, when the federation does interfere in a dispute, it will be able to do so with less personal rancour and with a stronger disposition to adopt conciliatory measures than would be possible for an individual union. The statistics of strikes in recent years seem to confirm this position. Analysis by trades of the strikes occurring in the years 1898-1902 shows that the mining industry had the largest number of persons affected by disputes, and this is a trade in which few federations exist ; it is un-

represented in the General Federation, and in 1901 had only ten local federations, as compared with thirty in the building trade and fourteen in the textile trade, in both of which there has been a noticeable decline in the number of persons affected by disputes. On the other hand, it is pointed out by the opponents of federations, and admitted by their advocates, that if such disputes lead to a strike or lock-out, the struggle is extended over a much wider area and also rendered more severe by the action of the federation, and its results, both upon the group of trades concerned and upon the other industries in the country, may be thus rendered more injurious. The effect which a strong organization in a particular industry or group of industries may exercise upon the general interests of the community will be considered below, but it is necessary to point out at this stage that an extensive federation may tend to render the indirect consequences of a trade dispute disproportionately great as compared with the main issues of the struggle, and that the disadvantages which result from it to the members of other trades may possibly outweigh the advantages gained by the members of the federated unions. In reply to these objections, it is asserted that the modern constitution of large industries has made the federation of labour inevitable,

since one firm often employs men belonging to more than a dozen distinct industries, and therefore to more than a dozen different unions, and these men cannot present a united front to their employers unless there is common action upon the part of their unions. It is, moreover, pointed out that in the majority of cases federation has originated with the employers, and has been adopted by the employed in self-defence, as was the case with regard to the three federations of the Miners, the Engineering and Shipbuilding Trades, and the Trades and Labour Unions connected with the Shipping, Carrying, and other Industries.

TRADES COUNCILS

Trades councils do not appear to have taken any part in the early struggles of trade unionism, and, indeed, they are for the most part of comparatively recent origin. The Glasgow Council, established in 1858, those of Birmingham and Preston, established in 1866, and the Bolton Council, established in 1867, are the only ones, so far as I have been able to ascertain, which belong to the first period of trade union history, and these are included only in its closing years. The revival of trade unionism in 1870-1873 was, however, signalized by the establishment of

numerous trades councils in the larger towns, and a similar movement has formed part of the most recent activity of trade unionism since 1888. There has apparently been on the whole a continuous growth in the number of the members represented in trades councils, although the individual councils are very liable to fluctuations in the number of their members. The following table shows the total number of councils, and the number of trade unionists represented, in each of the years 1894-1901. Eight of the councils include almost one-third of the total membership represented, the towns at which they are located being, in the order of the numbers represented, London, Glasgow, Liverpool, Nottingham, Birmingham, Manchester, Leicester, and Sheffield.

Year.	Number of Councils.	Number of Members of Trade Unions represented.
1894	158	708,784
1895	163	702,352
1896	161	710,391
1897	166	712,523
1898	170	717,702
1899	175	707,103
1900	177	762,475
1901	181	785,618
Increase of 1901 over 1894	23	76,834

The first step towards uniting trades councils, which had hitherto been disconnected bodies, was taken in 1893, when the association called the Federated Trades and Labour Councils of Yorkshire was formed. The Midlands Trades Councils Federation was formed in the following year, and in 1901 there were seven federations in existence, with a total membership of 361,586.

Trades councils appear at first sight to resemble some of the earlier attempts at federation, since they are joint organizations of the trade unions in one locality, irrespective of the nature of their industries. The fundamental distinction between a federation and a trades council is, however, clearly defined : a trades council has consultative powers only ; its members meet to discuss questions of policy, but it has no administrative functions. It does not, as a rule, interfere in questions of wages or hours, or with regard to any particular grievance under which some of its members may be suffering, nor does it take any direct share in the conduct of a trade dispute. It is an important function of a trades council, however, to issue or endorse appeals for financial assistance to its members or the general public on behalf of any union engaged in a trade dispute for reasons of which it approves. It is also a

frequent object of trades councils to promote the settlement of disputes by conciliation or other amicable means, and in many districts they have taken practical measures for carrying out this object by joining with the Chambers of Commerce in the establishment of local boards of arbitration and conciliation.

Another useful purpose which they fulfil is that of intervening between different trade unions in disputes which arise out of the question of the demarcation of work or similar difficulties. The position held by a trades council as the representative of labour generally, without being identified with any one trade or group of trades, renders it peculiarly well qualified to arbitrate in such disputes impartially and with the confidence of both parties. The most characteristic functions of the trades councils are, however, to be found in the action which they take with regard to such general questions as the promotion of technical education and the election of labour representatives upon local education committees and other municipal bodies. They form the natural channel for the expression of the opinions of the working classes upon matters which concern them in the aggregate, but are outside the province of individual unions, and they therefore frequently

petition Parliament and use their influence with local members in favour of or against particular legislative measures affecting labour.

By constitution trades councils are representative bodies consisting of delegates from the various affiliated trade societies. The number of delegates who may be returned by any one society is usually determined by the number of its members, but in varying proportions, the basis of representation being most frequently 1 delegate for every 25, 50, or 100 members. The expenses of the councils are generally met by small annual or quarterly subscriptions from the affiliated societies, these being in some cases graduated in proportion to the number of members in the society and in others a fixed sum. The management of the trades council is usually in the hands of an executive committee and certain officers, of whom the chief are a president, secretary, and treasurer. The salaries paid to the officers are in all cases very low, and in many instances the secretary is the only paid official, whilst in others even this office is honorary.

The rules of trades councils generally make provision for ordinary meetings for the transaction of the usual business, annual meetings, at which the officers are elected and the report

presented, and special meetings, which may be called in cases of emergency. With regard to the last, it is pointed out by Mr. Howell that 'there is a wise elasticity in the rules of most of these councils which enables them, if the matter is of supreme importance, to disregard the mere technical right of being represented at such meeting, and to include in the invitation not only those specially delegated by contributing societies, but those also who have not yet affiliated themselves to the council, and even many private persons who take an interest in the particular or general questions are sometimes invited. The value of this elasticity has been apparent more than once, when, for instance, it has been thought desirable to have the united expression of opinion of the whole of the organized bodies in the district, regardless of the mere technical right of being present by deputy. In such cases there is no restriction, either as to speaking or voting, each having an equal voice and vote.' Trades councils have ceased to be represented at the Trade Union Congress since 1894.

CHAPTER IV

TRADE UNION CONGRESS

HISTORICAL SKETCH OF THE CONGRESS

THE best medium for concerted action upon the part of all trade unions which has yet been established is the annual Trade Union Congress. This Congress was first convened in 1868, at a time when trade unionism had fallen into great discredit in consequence of the disturbances of the public peace which had arisen in connection with it in Sheffield and elsewhere. It was occasioned by two circumstances, to which those of a recent Congress, that of 1903, present a remarkable parallel. The first of these was the appointment of the Royal Commission in 1867 to investigate these disturbances, and to inquire into the general constitution and mode of action of trade societies. The second was the

awkward position in which trade unions found themselves placed by certain judicial decisions, pronounced during the same year, to the effect that all combinations that were in restraint of trade were criminal, and that societies which had rules enabling them to act in restraint of trade could hold no property, even for benevolent and charitable purposes.

The following sketch of the history of the annual Congresses was given by Mr. Fenwick, then secretary of the Parliamentary Committee, in his evidence before the Royal Commission on Labour: 'The first Congress, as I have said, was held in Manchester in June, 1868. . . . The meeting was attended by 34 delegates, representing 118,367 members. The success which attended this Congress encouraged its promoters to attempt a second, which was held in Birmingham in August, 1869, and attended by 48 delegates, representing a membership of 250,000. Among the chief subjects considered by this Congress was the unprotected state of trade union funds. Such questions as piecework, overtime, protection of miners, conciliation and arbitration, and the necessity for a system of national education, were also discussed, and the question of labour representation in Parliament was first declared

at this Congress as a distinctive policy of the unions. In 1874 the miners of Northumberland gave practical shape to this policy by electing Mr. Thomas Burt member for Morpeth. No Congress was held in 1870, but in 1871 the third meeting took place in London, when 50 delegates were present, representing a membership of 289,430. It was at this meeting that a Parliamentary Committee of five persons (afterwards increased to eleven, including the secretary) was first appointed to prepare legislation, and take such action as the Congress might from time to time determine.

‘The fourth Congress was held in the town of Nottingham in January, 1872. The three previous meetings had been held in the months of March, June, and August, but it was deemed advisable on the occasion referred to for the Congress to meet in January, so as to be ready with a programme of work for the ensuing session of Parliament. The Committee elected at Nottingham were instructed to prepare standing orders for the government of future Congresses, and thereby permanency was given to an institution which has not been inappropriately termed the Parliament of Labour. The next meeting took place in Leeds in 1873, and the

questions considered were compensation for injuries to workmen and the Mines Regulation and Arbitration Acts of the previous year. The Sheffield Congress in 1874 dealt chiefly with the Criminal Law Amendment Act of 1871, the Masters and Servants Act of 1867, the conspiracy laws, the Trade Union Act of 1871, and the necessity for an amendment of the Factory Acts.'

The questions considered by each succeeding Congress up to 1885 were very similar, for the Parliamentary Committee wielded considerable power, and permitted no contentious questions to come before the delegates. About 1885, however, it became evident that the official policy was not that of the delegates, and a contest for leadership began. At the Bradford Congress in 1888 'an important debate took place on the subject of a legal eight hours day for all workers, and since then this question has continued to excite more interest in the Congress debates than any other subject it has had to consider.'

The introduction of this question was simultaneous with the appearance of the new unionist element in the Congress. The influence of the new unions was very noticeable at the Dundee Congress in 1889 and the Liverpool Congress in 1890. On both these occasions the discussions

were somewhat violent in tone, and took to a large extent the character of personal attacks by the leaders of the new unions upon the representatives of the old unions and the members of the Parliamentary Committee. Mr. Broadhurst, Secretary of the Parliamentary Committee, was especially made the subject of criticism, but a vote of confidence in him was carried by a large majority in the Congress of 1889. In the following year, however, he resigned the secretaryship, and was succeeded by Mr. Fenwick, who held the post until the Congress of 1894, when he was violently attacked in consequence of his attitude with regard to the proposed Eight Hours Bill, and Mr. Sam Woods, representing the Miners' Federation, was elected in his place. A resolution in favour of a legal eight hours day was thrown out by a small majority in 1889, but was carried at the Liverpool Congress in 1890. A protracted discussion on the same question took place at the Congress of 1891, which was held at Newcastle-on-Tyne, when the resolution was finally adopted: 'That legislation regulating hours of labour to eight per day shall be in force in all trades and occupations, save where a majority of the organized members of any trade or occupation protest by a ballot voting against

the same.' The following Congress, held at Glasgow, reaffirmed this resolution, but excepted miners from the proposed legislation, probably because they were promoting a separate Bill to deal with their own industry ; and in the Congress held at Belfast in 1893 a resolution was carried in almost the same words as that of 1891, except that the limitation of hours desired was said to be 'to eight per day, or forty-eight per week.'

At the Congress at Norwich in 1894 the words 'and all other trades and occupations' were inserted as an amendment in a resolution urging the legal restriction of hours in bakehouses to eight per day or forty-eight per week, and this amendment was carried by 256 votes to 5. At the Cardiff Congress in 1895 Mr. Will Thorne moved the following resolution : 'Seeing that the eight-hour working day is one of the most important preliminary steps towards the ultimate emancipation of the working class, and will lessen the number of unemployed, improve the quality of work, and increase the health, strength, and intelligence of the workers, this Congress declares that the time has arrived when the hours of labour should be limited to eight per day in all trades and occupations (miners excepted) in the United Kingdom, and that the Parliamentary

Committee be instructed to draft a Bill on the lines of this resolution, with a view of getting it passed through Parliament and made a law of the country.' This was carried by 625 votes to 222, according to the new system of voting.

The new unionist influence, which achieved an unqualified victory at the Norwich Congress, has made itself felt in the direction of demanding State control in other matters connected with labour besides the limitation of hours. Thus, the Liverpool Congress in 1890 passed a resolution in favour of the establishment of municipal workshops and factories in order to provide work for the unemployed, and the Glasgow Congress in 1892 passed a resolution to the effect 'that a Labour Exchange, on the model of the Paris Bourse du Travail, should be established and maintained by public funds in every industrial centre in the kingdom.' The Congress of 1893, held at Belfast, went much further in this direction than any former one had done, by passing a resolution with regard to labour representation in Parliament, to the effect that 'candidates receiving financial assistance must pledge themselves to support the principle of collective ownership and control of all means of production and distribution, and the labour programme as

agreed upon from time to time by the Congress.'

This resolution was received by the press at the time as a sign that the Congress had been captured by the Socialist party. It must, however, be noticed that the amendment containing the words quoted above was voted for by only 137, and the resolution thus amended by only 150, out of the 380 delegates present. The number voting against the amendment and the resolution was in each case very small, so that a large number of delegates refrained from voting upon the question at all. This may perhaps be explained by the fact that the representatives of the older unions, whilst strongly opposed to the Socialistic tendencies of the more recent members of the Congress, were conscious that the superior wealth and more efficient organization of their own associations rendered them the real masters of the situation. They were therefore inclined to treat discussions and resolutions which appeared to have no immediate practical aim with indifference, rather than to take any active part in refuting the arguments of their opponents; but it afterwards became clear that this policy had to some extent the effect of misleading the public with regard to their real opinions,

and that it could not safely be pursued any further.

At the Norwich Congress in 1894 a resolution was introduced to the effect 'that in the opinion of this Congress it is essential to the maintenance of British industries to nationalize the land, mines, minerals, and royalty rents, and that the Parliamentary Committee be instructed to promote and support legislation with the above objects.' Mr. Keir Hardie proposed to amend this resolution by omitting the words 'mines, minerals, and royalty rents,' and substituting for them 'and the whole of the means of production, distribution, and exchange.' The amendment was supported by Mr. Tom Mann, Mr. John Burns, and other speakers, and when put to the vote was accepted by 219 delegates, 61 votes being given against it. As, however, the number of delegates present at the Congress was 378, there were close upon 100 who abstained from voting. The resolution was subsequently repudiated by the Collectivist party, represented by the *Daily Chronicle*, as 'a formula intangible and out of all conceivable lines of immediate progress, . . . which no one but a handful of irreconcilables will move one finger to bring about during the twelve months that will precede the next Trade Union

Congress.' This criticism called forth the following letter from Mr. Tom Mann, which appeared in the *Daily Chronicle* on September 17, 1894 :

‘ *To the Editor of the “ Daily Chronicle.”*

‘ SIR,

‘ In your issue of the 15th inst. an article appears on the Socialist resolution carried at the recent Trade Union Congress and some comments of the *Speaker* thereon, in which the corrective administered to the *Speaker* is of a much milder character than is the repetition of “back-handers” dealt out to those who carried the resolution. If it was the intention of the writer in the *Chronicle* to befriend the trade unionists, then indeed is it a peculiar method adopted, when in the short article the following compliments are paid : “ The Trade Union Congress declared itself in favour of a social change which falls outside the sphere of practical politics, . . . adopting a rather shadowy Utopianism, . . . a resolution which no one but a handful of irreconcilables will move one finger to bring about. . . . The Socialist resolution was, in a word, a formula intangible and out of all conceivable lines of immediate progress.”

‘ Now go back six years, to 1888, and let the

columns of the *Chronicle* itself bear witness as to what section among the trade unionists are primarily responsible for the change that has taken place in the trade unions during that period, and it will be found by every test that can be applied that the same section who have strenuously and persistently fought for the Socialist ideal have been chiefly instrumental in the great accession to the ranks of the trade unions, in helping on their solidification, and in vivifying them with a new life. The men with the ideal have been pre-eminently the men of practice too. My own trifling share in the good work I do not wish to include, but the work of my colleagues has been of so valuable and uplifting a character that in common fairness I feel bound to protest against your assumption of lofty wisdom and contemptuous references to the ideals that have actuated these men. Anyone who has an intimate knowledge of them knows that it was because they were fired with the inspiring belief in Socialism that therefore they triumphed in scores of instances where others had failed, and some of the results of their Socialistic fervour can now be seen in the added strength to many unions, and in the establishment of new ones on a firm basis that have stood the test of depression, the rela-

tively rapid growth of trades councils, and—as valuable an item as any—in the considerable steps taken to genuinely democratize town councils and other local governing powers.

‘I am at a loss to understand clearly to whom the *Chronicle* refers when it says: “No one but a handful of irreconcilables will move one finger to bring about the passing of the resolution during the twelve months that will precede the next Trade Union Congress.” For my part, I believe that a very large proportion of the delegates that carried that resolution will honestly and earnestly work for its realization. In any case, those for whom I can especially speak—the members of the Independent Labour Party—they will work for it to a man, and if, as is doubtless the case, the term “irreconcilable” is intended to cover us, we accept it with much pleasure. The I.L.P. is an uncompromising Socialist organization that will not merely endorse Socialistic principles, and then proceed to work with the orthodox, but will refuse to bow down to a philanthropic section of the Liberal party that may be glorified by the *Daily Chronicle*, on the same lines and for the same reasons that we have nothing in common with the old-world Whigs of the *Speaker* or the antediluvian exploiting Tories of the *Standard*

or *Times*, that reason being that the existing industrial institutions are upheld by them all alike, believing as they do in private ownership of land and capital and the control of industry by individuals for individual advantage. We stand for the Socialization of land and capital, and the common or public control of industry. It matters not to us who calls this Utopian. The groans of starving men, women, and children stimulate us on the one side, the belief in the harmonies of a Socialistic régime on the other. Would that the *Daily Chronicle* dare declare itself on the side of the workers instead of repeating once again the old recommendation of "be practical and drop your Utopia"! For ourselves, we have faith in the capacity of the present generation to throw off once and for all the horrible curse of capitalistic domination. The worker still cries for freedom—not political, but industrial. To-morrow he'll shout for it, and the next day take it.

‘Yours respectfully,

‘TOM MANN

‘(Gen. Sec. I.L.P.).’

‘34, MINFORD GARDENS, W.’

But its adoption by the majority of the delegates at once led some of the older unions to re-

consider their position, and even to suggest the advisability of withdrawing altogether from the Congress. Mr. Robert Knight, the secretary of the United Society of Boilermakers and Iron and Steel Shipbuilders, reported to the members of his society as follows :

‘It is a misnomer to call the Congress which has just concluded its sittings at Norwich a Trade Union Congress, for this it has ceased to be, and has become an annual gathering of advanced Socialists, whose dreamy ideas find vent in strongly-worded resolutions which we cannot endorse. The agenda paper presented to the Congress contained 126 resolutions, on subjects as wide as the poles. This part of the Congress business is not generally reached until Wednesday morning ; there is, therefore, but little time to give them the consideration that is necessary. In fact, no discussion is allowed unless you have an amendment to propose ; and some of the resolutions were of such a character that they were too bad to mend. But if they were levelled against the capitalist, or denouncing some employer of labour, they found acceptance with the majority of the delegates. Many of the resolutions are political, and demand that the power of the State shall be so used as to supersede the necessity

of personal or combined exertion on the part of manual workers for their benefit or protection. The Imperial Parliament at Westminster is to be turned into a Trade Union Congress, which is to rule with an iron hand labour and capital—land, railways, mines, hours, wages, food - supply, dwellings, and the migration of workmen. We differ fundamentally and utterly with all such proposals as these, as they would curse labour with restricted freedom, with diminished resources, with arrested progress, with abject dependence, and the demoralization that all these bring. Collectivism can never take the place of individualism; the man can never be absorbed in the crowd, as some people seem to think, and if our friends who shout so loud at Congresses would depend more on individual effort, and work a little more for their societies and less for passing wild resolutions at Congresses, it would be much better for those they are supposed to represent.'

The following letter, which appeared in the *Daily Chronicle* on September 20, 1894, is worth quoting in full as an illustration of the irritation roused in the old unionists by the Norwich Congress, and for its prophecy with regard to the General Election, which was so completely fulfilled :

‘*To the Editor of the “Daily Chronicle.”*’

‘SIR,

‘The publication to-day of the monthly remarks of Mr. Robert Knight to the members of such an important trade union as the Boilermakers and Iron Shipbuilders cannot fail to be appreciated by a goodly number of the members of my own trade union—the Amalgamated Society of Engineers. It is impossible to say how much longer our members are going to tolerate the name of our society being identified with what is termed the I.L.P., but I trust the next General Election will prove that those who think of making us a cat’s-paw for “dreamy Socialists” will have a “rude awakening.” As a matter of fact, none of the delegates to the late Congress at Norwich had any right to pledge the A. S. E. to any such useless and, as you have described it, Utopian resolution as the one regarding Collectivism that was squeezed on to the Congress, and carried by the element mentioned by Mr. Knight. The current issue of the *Labour Gazette*, amongst other things, contains the basis of representation at the Congress, and engineers would do well to note the fact that “trades” are in a very small minority.

‘London and provincial trade unionists, who are also practical reformers, will continue to look for a fearless criticism by the *Daily Chronicle* of all such wild and arrant nonsense as we have been treated to this past week or so from the leaders of the so-called Independent Labour Party. Anyhow, let us hope that the men who have built up and paid for the establishment of the Trades Union Congress are not going to stand the threatened “gripping” process without a kick or two for English liberty.

‘Faithfully yours,

‘JAMES H. KIRKMAN.’

‘MILE END ROAD, E.

‘September 19.’

The proposed secession of the older unions from the Congress, however, appeared to me to threaten such serious injury to the cause of trade unionism that I ventured to protest against it in a letter which I addressed to the *Times* at the time.* I there pointed out that, although there had hitherto been no dividing-line amongst working men similar to that between the parties in Parliament, this was no longer the case. ‘In England we can now clearly observe the new and distinct line of

* *The Times*, September 25, 1894.

demarcation between industrial as well as political parties on which I have laid stress in the series of Foreign Reports which I was directed to draw up for the Labour Commission, the line between the advocates and opponents of State interference and grandmotherly legislation—that is, the line between Socialists and anti-Socialists. . . . In the Trade Union Congress, in addition to the want of a dividing-line between the parties, there has been hitherto no obligation on the party in power to carry out its policy, or on the party, so to speak, in opposition to oppose. Men have been elected, as Mr. Burns was, I think, at the Liverpool Congress, in the interests of a policy which they have not attempted to carry out, and this action has not been called in question. . . . In the Trade Union Congress there is every year a large minority which still believes in the principles of self-help and self-reliance which have been the backbone of trade unionism as well as of co-operation and of the friendly societies movement. Those who form this minority rarely, if ever, act together, and often abstain from voting so as not to draw down on themselves personally the violent attacks for which the Socialists are famous. They have no leaders and no organization. Should leaders be found, it is my belief

the minority would in a short time be transformed into a majority. As it is, so far from this, important societies like that of the boilermakers, which has a revenue of something over £120,000 a year, talk, I hear, of seceding from the Congress because they consider that proceedings and resolutions like those at Norwich are a discredit to trade unionism. I venture, then, to ask whether it would not be better for those who think with Mr. Robert Knight to form themselves into a compact opposition of the present Parliamentary Committee, and organize a party to combat the policy of Mr. Keir Hardie, which is in fact dominant, if not in name. If such a step were taken and the parties were clearly divided, the president of the Congress next year would be able, like the Speaker of the House of Commons, to call on representatives of each party in turn to speak, and there would be an issue to fight out on nearly every resolution. As it is, what one may call the Socialist party is the most noisy and the most pushing, while the advocates of the old principles rarely get a hearing, and often, as I have said, abstain from voting. Unless something like what I have indicated is done, the Trade Union Congress will approximate to those unpractical meetings of foreign working men, run by the intellectual

proletariat, to which it has hitherto presented such a strong contrast. . . . The Trade Union Congress is one of the institutions by which the working man has been fitting himself to take his share in the government of the country, and any question which profoundly affects its credit cannot fail to be a matter of deep public interest.'

Subsequent events have proved that the anti-Socialist members of the Congress, so far from weakly withdrawing from the struggle, have determined not only to hold their own in the Congress, but to turn their minority into a majority. The reaction of feeling which set in immediately after the Norwich Congress grew in intensity, and appeared, amongst other ways, in the results of the General Election of 1895, in which not a single candidate of the Independent Labour Party was returned. The Congress of 1895 assembled at Cardiff under the new Standing Orders drawn up by the Parliamentary Committee during the year, which admit as delegates only persons actually working at the trade they represent at the time of their appointment or permanent paid working officials of their trade unions. The effect of this rule was to exclude from the Congress some of the most notable of

its former members, including Mr. Burns,* Mr. Broadhurst, Mr. Tom Mann, and Mr. Keir Hardie, and was regarded by the Independent Labour Party and other members of the Socialist party as a direct blow aimed at them by the Parliamentary Committee. Their influence was still further weakened by a new regulation with regard to the manner of voting, which secured to each union proportional representation according to the number of its members, and so placed the majority of the voting power in the hands of the larger and wealthier unions. The Miners' National Union, which represented the miners of Northumberland and Durham,† did, indeed, adhere to their determination to withdraw from the Congress on the ground that it had become a Socialist body, but the other powerful old unions, including that of the boilermakers, were represented. A motion was brought forward to rescind the collectivist resolution passed at Norwich, and this would probably have been carried, if it had not been pronounced out of order in consequence of an informality in the manner in

* Mr. Burns was himself in favour of the new regulations, which he had taken part in drawing up in the Parliamentary Committee, and defended in a powerful speech at the Congress.

† Dissolved in 1898.

which it had been printed and sent out to the societies.

The Congress seems quite convinced that general resolutions in favour of Socialism are utterly impracticable, and is becoming more and more moderate in its proposals; in fact, at the Plymouth Congress in 1900 not a single resolution was passed that was outside the sphere of practical politics.

The three recent Congresses, held at Swansea, London, and Leicester, have been mainly occupied with questions arising out of the Taff Vale decision and the decision against picketing. The report of the Parliamentary Committee of the London Congress affirmed that 'the trade union world had been in one continuous ferment of excitement in respect to the safeguarding of trade union funds and the new views placed on the law of picketing.' The Leicester Congress of 1903, at which 460 delegates, representing 1,500,000 members, were present, again discussed these decisions, and entered an emphatic protest against the recently appointed Royal Commission on Trade Disputes, as tending to delay and hinder industrial peace. Objection was taken to its composition as being entirely one-sided, and it was resolved that no trade union or trade union

official should give evidence before it. This Congress voted in favour of direct labour representation in Parliament—a subject which has been frequently brought before recent Congresses.

CONSTITUTION AND FUNCTIONS OF THE CONGRESS

The constitution and functions of the Trade Union Congress may be briefly summed up as follows: It is a representative body composed of delegates from trade unions and trades councils, which assembles annually, the meeting extending over six days, from Monday to Saturday inclusive. Since the year 1875 these meetings have invariably taken place in September, and generally in the second week in the month. The delegates are elected and paid by the organizations which send them, and must be *bonâ fide* members of the trade they represent—that is to say, they must have worked or be working at it. An important order was made at the Congress of 1892, involving an alteration in the basis of representation. This ran as follows: ‘Trade societies, by whatever name they shall be known, shall be entitled to one delegate for every 2,000 members, or fraction thereof, provided always that they have paid £1 for every 1,000 or fraction thereof, and

£1 for every additional 1,000 or fraction thereof, towards the expenses of the Parliamentary Committee for the past year, and 10s. for their delegates' fees. Trades councils, or like organizations, made up of a number of branches or trades, shall only send representatives, and be called upon to subscribe, as aforesaid, for those members that are not directly represented through their own respective trades or associations.'

The effect of this order was to prevent the dual representation of members of trade unions affiliated to trades councils, which had sometimes occurred in the previous Congresses. It had a still more important result in limiting the number of delegates sent by each society in proportion to the membership of the society. Prior to the Glasgow Congress it was within the province of a small trade to send a large number of delegates, provided that it paid the delegates' fees, so that the voting at the Congresses did not in many cases fairly represent the opinion of the majority of trade unionists throughout the country. This defect in the Congress as a fully representative assembly was increased by the fact that some unions, principally amongst the older ones, have not always sent the full number of delegates to which their membership entitles them, and the

new regulations did not meet this difficulty. Thus, in the Belfast Congress the Amalgamated Society of Engineers subscribed for and sent delegates representing 35,000 members out of its total membership of over 71,000, and the United Society of Boilermakers and Iron and Steel Shipbuilders subscribed for and sent delegates representing 15,000 members out of its total membership of over 36,000. The reason for this has doubtless been a desire for economy in the subscription to the Congress, together with the somewhat indifferent attitude towards the assembly which has been already referred to. This subject was, however, discussed at the Belfast Congress, and the resolution, 'that all societies pay £1 per 1,000 members who are in their respective unions, but this does not affect the present delegation,' was proposed and carried by 215 votes to 160. This obliged every society to subscribe in future for the full number of its members, though no regulation was laid down with regard to its representation.

At the Norwich Congress in 1894 a number of amendments to the Standing Orders were placed upon the agenda paper for consideration, but owing to lack of time were not discussed by the Congress. Before adjourning, however, the

Congress referred the whole of the questions upon the paper to the Parliamentary Committee, to take such steps as they might consider necessary. The Parliamentary Committee, armed with this general authority, proceeded to revise the Standing Orders, with the result already described—viz., the introduction of three important clauses by which the representation of trades councils in the Congress was abolished, the choice of delegates restricted to men actually working at their trades, or permanent paid officials of their unions, and the system of voting was remodelled. According to the new plan voting is by cards ‘issued to the delegates of trade societies according to their membership, and paid for on the principle of one card for every 1,000 members or fractional part thereof represented.’ The number of delegates sent by any union is thus made of no importance, since whether they are few or many their votes are regulated by the membership of their union. Much discussion and considerable opposition has been roused by these new regulations, both within the Parliamentary Committee itself, where they were only passed by the chairman’s casting-vote, and amongst the societies represented at the Congress, as well as those which were thus excluded from representa-

tion. For the Standing Orders were put into force without being submitted to the Congress, which was, in fact, summoned and conducted in accordance with them. The dissatisfaction with this course of action which was felt on many sides found expression in a resolution proposed by Mr. J. H. Wilson, M.P., to the effect that the Parliamentary Committee had exceeded their powers and acted unconstitutionally, and that the Congress refused to sanction the enforcement of the new Standing Orders ; but after a somewhat stormy discussion, this resolution was thrown out by 604 votes to 357.

The election of the delegates takes place annually a short time before the assembling of the Congress, and the resolutions about to be submitted to the Congress must come before the Parliamentary Committee six weeks before the meeting, thus making it possible to place such resolutions before the branches previously to the election of delegates. A Standing Orders Committee of five persons is elected from the members of the Congress, whose duty it is to examine into the validity of the credentials of the various delegates, and to see that the business of the Congress is properly conducted in accordance with the Standing Orders. The delegates elect

a president for the Congress each year, giving preference to a delegate of the town in which it is held. The chairman of the Parliamentary Committee for the past year acts as vice-president of the Congress, and the secretary and treasurer of the Parliamentary Committee fill the same positions in the Congress. The place of meeting for the next Congress is decided annually by the votes of the delegates.

The Parliamentary Committee, which, as already stated, consists of eleven members, including the secretary, is elected by ballot on the last day but one of each Congress, and its members elect from amongst themselves a chairman, vice-chairman, and treasurer for the ensuing year. It is, however, an invariable custom that the chairman shall be the member who has polled most votes in the election of the Committee. No two members of one trade may be elected upon the Parliamentary Committee, unless one holds the position of secretary. The duties of the Committee, as expressed in the Standing Orders, are (1) to watch all legislative measures directly affecting the question of labour, (2) to initiate such legislative action as the Congress may direct, and (3) to prepare the programme for the Congress. In addition to these duties, the

Congress is accustomed from time to time to refer particular questions to the Parliamentary Committee to consider and report upon. For several years past the Parliamentary Committee has also appointed four of its number to act conjointly with a similar number appointed by the Parliamentary Committee of the Co-operative Union, for the purpose of dealing with disputes arising between co-operative societies affiliated to the Co-operative Union and their workmen who are connected with trade unions.

CHAPTER V

THE ACTION AND INFLUENCE OF TRADE UNIONS

ADVANTAGES TO THEIR MEMBERS

THE objects aimed at by the majority of trade unions, and the means which are generally adopted to secure them, have already been pointed out. It remains to consider briefly how far the unions have, in fact, succeeded in accomplishing these objects, and how far it is desirable that they should do so.

The first object of trade unionism is the maintenance of wages, and the principal means adopted for this end are the fixing of a minimum wage for the trade, the restriction of the number of wage-earners in the trade, and attempts to obtain advances in wages or to ward off reductions by requests and representations addressed to the employers and negotiations entered into with

them, or, if these means fail, by the withholding of labour. With regard to the success which has attended these means, it appeared in the case of almost every trade from which the Royal Commission on Labour received oral or written evidence that there has been a more or less recent advance in wages, and this was attributed by the workers themselves almost without exception to the influence of their organizations. In some instances the date at which the advance took place was said to be very shortly after the formation of the union, and in other instances the advance had been the direct result either of negotiations with the employers or of a strike conducted by the union. In the iron, shipbuilding, and kindred trades it has seemed possible to trace a general connection between the rate of wages in each locality and the extent of the workmen's organization there, the wages being, generally speaking, highest where the organization is strongest; and in these and other trades the rates of wages received by unionists are usually higher than those received by non-unionists. On the other hand, it was urged by some employers, and by a few non-unionist workmen, that the rise in wages was not due to the action of the unions, but to increased prosperity of trade, and that the workers

in those branches of industry in which there were no organizations had profited equally with the organized workers.

Although, however, an advance of wages has generally accompanied an increase of prosperity in trade, it does not appear certain that such advances would be granted, except in those industries in which the demand for labour is very quickly affected by the prosperity of the trade, if they were not demanded by the unions. Thus, for instance, although it is asserted that the rise in sailors' wages during the year 1887 was the natural result of improved trade, it is also agreed that the National Amalgamated Sailors' and Firemen's Union called attention very distinctly to the rise in freights, and showed the men that they were entitled to a share in the advantage. Similarly, it sometimes seems probable that the unorganized workers who have obtained advances have to a certain extent profited by the efforts of the organized workers in closely allied industries. Some representatives of the employers in the cotton trade, who in evidence before the Royal Commission on Labour denied that the unions had helped to raise wages, admitted that they had served to steady them ; and the great local variations in wages in the Yorkshire woollen trade

are partly attributed to the want of organization amongst the workers.

Objections are, however, made to the various methods by which the unions endeavour to control wages. It is said that the fixing of a minimum wage by the union operates disadvantageously upon the workers in three ways. Firstly, it prevents the able and energetic workmen from earning as much as they otherwise would, as the fixed minimum wage tends to become virtually a maximum, and thus it reduces the earnings of all workmen to a dead-level of uniformity. Secondly, it excludes from employment altogether the least able workmen, who are not worth the minimum rate of wages, although the employers would be willing to give them work at a lower rate. For the same reason a fixed minimum rate of wages drives the older men out of the trade sooner than would otherwise be necessary. Thirdly, there are cases in which the maintenance of a minimum wage by a union puts its members at a disadvantage, as compared with the non-unionists, and leads to an actual loss of work for the unionists.

In answer to the two first of these objections, it is stated that employers are, as a rule, willing in their own interests to pay wages above the

minimum rate to the best workmen, and that the exclusion from employment of the least capable men is a benefit to the trade as a whole, as tending to raise the general standard of workmanship, although it may bear hardly upon individuals. With regard to the older workmen, it may be observed that the introduction into certain industries of modern processes, involving the use of complicated machinery and a very rapid rate of work, and recently the increased burden thrown upon employers by the Employers' Liability Act and the Compensation Act, have tended to exclude men from employment at an earlier age than was formerly the case. In order to compensate for this loss, it is argued that a workman must be guaranteed something more than a subsistence wage during the short period of his working life, and hence it becomes necessary to fix a minimum rate. But this, again, increases the difficulty of the older men in finding employment, and therefore the minimum must be fixed proportionately high. The objections which have been made to the artificial restriction, by means of apprenticeship regulations or otherwise, of the number of workmen in a particular trade refer in the first place to the effect which such restriction has upon the prosperity of the trade as a whole, and only

through this upon the wages of the employed. From this point of view it will be considered below. It may, however, be noticed here that such apprenticeship regulations as have for their object the thorough technical education of the workmen are probably purely beneficial, and have been advocated by representatives of both employers and employed. Some trade union rules on this subject appear, however, to be quite arbitrary, and do not conduce to this end. Professor Marshall, in the 'Elements of Economics of Industry,' has laid down four conditions which must be satisfied before wages can be raised in a particular branch of industry by an artificial scarcity of labour. Firstly, there must be no easy alternative method of obtaining the commodity which the trade in question helps to produce; thus, for instance, it must not be exposed to foreign competition. Secondly, the commodity must be of such a kind that its price will rise considerably if the supply is diminished, or, in other words, that a rise in price will not seriously affect the demand. Thirdly, wages must form a comparatively small part of the cost of production, so that a rise in them will not cause a proportionate rise in price. Lastly, the class of workers who have thus restricted their labour

must be in a position to secure to themselves the advantage from it, which can only happen if the employers and other classes of workers in the industry do not obtain an increased share of the price of the joint product by limiting their capital and labour. It is evident that the commodities which fulfil all these conditions are not very numerous.

It remains to consider the action of strikes as a means of raising wages, and it may be noticed in passing that nearly two-thirds of all the strikes of the years 1897-1901 were caused by disputes about wages*—nearly one-half were due to a demand for an increase of wages, while only 6 per cent. were against reduction of wages. The chief arguments used against this means must be dealt with under the heads of the effect of trade unions upon the relations of workmen with employers, and their effect upon the prosperity of trade; but it is sometimes urged that the loss in wages to which the workmen submit during even a successful strike counterbalances to them any subsequent increase in the rate of wages. It

* The relative influence of each cause of trade disputes is here measured by the number of workpeople directly affected, not merely by the number of disputes irrespective of the number of men involved.

was, however, pointed out by Mr. (now Sir R.) Giffen in his evidence before the Royal Commission on Labour that, taking all the British trades collectively, the aggregate direct loss in wages due to strikes does not amount to one-fifth of 1 per cent. of the wages paid annually. The average duration of strikes, moreover, is about three weeks, and the wages lost for so short a time can, in most cases, be made up by the end of the year.

After all these questions have been considered, therefore, it seems to be clear that the action of trade unions may obtain higher wages for their members, and has in many instances had this effect. It is, however, more difficult to estimate the influence which trade unionism has had in raising the general level of wages, or to decide whether it has had this effect at all. Professor Marshall points out that trade unionism may indeed succeed in improving general wages permanently if 'it is so directed as to co-operate with and to strengthen those general agencies which are tending to improve' the moral and economic position of the working classes, and if, consequently, the following conditions are observed : (1) Unions must facilitate business by diminishing rather than increasing the friction between the employers and the employed ;

(2) they must endeavour to raise the standard of life amongst their members; (3) they must aid the rising generation to acquire as great industrial skill as is possible; (4) they must assist in developing the latent store of business power amongst the working classes; (5) they must avoid any course of action which would inflict injury upon other classes of labour.

Next to the maintenance of wages the most prominent object of trade unionism is the reduction of hours. Several unions fix a maximum number of hours for a day's or a week's work, and many prohibit overtime work. As in the case of wages, the unions endeavour to obtain their objects with regard to hours by amicable arrangements with their employers, or, if these fail, by strikes. With regard to their success, there is abundant evidence to show that a steady reduction in the hours of labour has been in progress for some thirty or forty years in almost every branch of industry, and this is in most cases claimed by the unions as the effect of their intervention. In many instances reductions in hours are shown to have been conceded by the employers in response to representations from the union, or in consequence of a strike, and although other causes, such as the growth of

public opinion on the question and the effect of factory legislation, have contributed to the movement, the part which trade unions have played is sufficiently shown by the fact that in almost every industry in which the hours are now excessive, organization amongst the workers is either very weak or entirely absent. It is generally allowed on all sides that this action on the part of the unions has been beneficial to the workers, and that further action in the same direction would be to their advantage if it could be carried out without injury to the trade in question. The arguments against such action, therefore, are almost exclusively concerned with the economic position of the various trades. But with regard to the prohibition of overtime, it is alleged that an injury is thus inflicted upon energetic and industrious workmen, who are deprived of the opportunity of adding to their earnings by extra work. On the other side it is, however, urged that the prohibition of overtime protects the average workman, who would otherwise be placed at a disadvantage with regard to his physically stronger companion, and that the stronger and more energetic men are thus preserved from the danger of overstrain, which they are often tempted to incur for the sake of extra gain.

The friendly benefits afforded by the majority of trade unions to their members also constitute an important feature in the economic position of the latter, but have already been considered at length. It is therefore sufficient here to recall the fact that the points for discussion raised with regard to these benefits do not, as a rule, touch upon the desirability of such opportunities for thrift and provision against misfortune being afforded to the working classes, but only upon the question whether these objects should be united with the protective functions of trade unions or confined to friendly societies proper. The very great service which trade unions render to their members by serving as employment bureaus or registries for the unemployed, and in diffusing amongst them information with regard to the conditions of the trade generally and the opportunities of employment in different localities, has also been referred to above, and is so generally recognised as not to need discussion.

Another manner in which trade unions exercise a direct influence upon the material welfare of the workers is the share they take in enforcing legislation relating to mines and factories with regard to sanitary conditions and the prevention of accidents. It is evident that the officials of a

union are in a much better position for bringing breaches of such legislation under the notice of the Government inspectors than individual workmen, who are often deterred from doing so either by ignorance of the law or the means of enforcing it, or by their fear of incurring the displeasure of their employers. A somewhat similar advantage is afforded by those societies which grant legal assistance to their members to enable them to obtain compensation for accidents under the Employers' Liability Act, to prosecute employers for detention of wages or other sufficient cause, or to defend themselves against an unjust prosecution.

The influence of trade unions upon the members is not, however, confined only to their economic or material position, but has also important educational and moral effects. Some unions aim directly at promoting educational advantages, and even at providing lectures, reading-rooms, and libraries for their members; but when this is not the case, general meetings and annual or monthly reports afford the members an opportunity of acquiring information about and discussing a variety of subjects, as well as the conditions of their own industry. The very fact of association renders necessary the cultivation

of certain moral qualities, such as submission to regulations and discipline and loyalty to and confidence in the leaders and one another, whilst to take any part, however small, in the government of a union must require the exercise of some business capacity, and call forth a sense of responsibility.

Indeed, to conduct the government of a large union successfully its principal officers require administrative abilities of a very high order, and the experience gained in these positions bears fruit in the shrewd and practical common-sense views which so often distinguish them when called to take part in local, municipal, and State government. The trade union is, in fact, the first form of self-government in which the working man takes part, and in it he often acquires the knowledge of men and of business, and exercises the qualities of tact and moderation so necessary in the larger forms of self-government which are passing more and more into his hands. Some union regulations also have a direct bearing upon the moral character and conduct of the members. Thus, the rules of many unions impose penalties upon members who are addicted to intemperance or guilty of any act of dishonesty, and in all cases members are punished if they attend meetings

of the society in a state of intoxication, or behave there in a disorderly manner. In the case of several unions the beneficial effects which organization had produced upon the character of the members was pointed out in evidence before the Royal Commission on Labour. Thus it was stated that the British Steel Smelters' Amalgamated Association in South Wales had brought the men into 'closer friendship,' and made them more willing to help one another in their work, and that the general condition of the stevedores in the port of London had been materially improved by the formation of the Amalgamated Stevedores' Labour Protection League, because the society undertook educational work and taught them thrift and self-respect.

INFLUENCE UPON THE RELATIONS OF WORKMEN AND EMPLOYERS

The facts related and the opinions expressed with regard to the influence which trade unions exercise upon the relations of the workmen with their employers are very contradictory in character. A considerable number of employers, as well as the great majority of representatives of the employed, who gave evidence before

the Royal Commission on Labour, asserted that the effect of workmen's associations in this respect was distinctly beneficial. In the first place, they maintained that the organization of the workmen diminishes the frequency of strikes, and lessens friction between employers and employed. Several employers stated that their own experience of trade union leaders had been that they were more reasonable and moderate in their demands and generally easier to deal with than the ordinary operatives. They found also that there was greater convenience and security in negotiating and arranging terms with the responsible officials of an organization than with an unorganized and irresponsible mass of men. Their chief ground of complaint in several cases was that the leaders were not always able to control the members of the union, and they expressed the belief that as the organization of the men grew stronger the difficulties arising between employers and employed would decrease. A representative of the Durham coal-owners even stated that, if the miners would only agree to leave full power in the hands of their executive, strikes might be almost entirely avoided. The test of figures also seems to show that trade unionism is not so productive of disputes as is

often supposed, since only 6 per cent. of the disputes occurring in the years 1897-1901 are assigned to this cause.

Again, it is asserted that permanent boards of conciliation between the employers and the employed can only be successful when supported by a strong organization on each side, which can enforce the carrying out of the arrangements entered into by the representatives on the board. It has been already noticed that the conduct of disputes by a central executive, who are free from local or personal irritation, often makes an amicable settlement or submission upon the part of the men more easy than if the management had been in the hands of the local officers or the men involved in the quarrel. Further, it is asserted by the advocates of trade unions that they benefit the employers by rendering the members better workmen, and by insuring the fulfilment of their contracts. In so far as a union succeeds in promoting the general and technical education of its members, and in raising their moral character and habits, the employers do undoubtedly gain some advantage, and it has been already shown that trade unions aim at these objects, and have to some extent attained them. It has, further, been seen that some

unions impose penalties upon members who fail to fulfil their engagements with their employer, or who do bad work or injure his property, and even undertake to compensate the employer for loss thus incurred. It is also stated by the employed that the regulations laid down by their unions with regard to the conditions of employment are an advantage to the employers, since they tend to check the competition between employers in the same trade, and to protect the 'fair' employer against his 'unfair' rival.

On the other hand, with regard to the influence they exercise over the relations of the workmen with their employers, the following objections have been made to trade unions: first, it is asserted that they tend to increase the friction between employers and employed, and in consequence to increase the frequency of strikes. This is said to be partly due to the action of professional agitators, whose object is to stir up strife in order to attach the workmen to the union and increase their own influence, and partly to the attempt to substitute the intervention of strangers, in the persons of trade union officials, for the direct personal intercourse which formerly existed between the head of a firm and his workmen. When the workpeople join a union they

lose all feeling of community of interests between themselves and their employers, and are taught to think that capital and labour must necessarily be antagonistic. Again, the custom of entering upon a strike merely to show sympathy with, or to strengthen the position of, the members of an allied union is considered not only to increase the frequency of strikes, but to be peculiarly unjust towards those employers who treat their workpeople with consideration, but are not thereby secured against strikes.

Further, it is asserted that the effect of organization in some cases has been to make the workpeople more careless about the quality of their work, and more insubordinate, because, if they are dismissed, they can claim out-of-work benefit from their union. This point was dealt with at length before the Labour Commission by some representatives of the employers in the cotton industry; but it may be noticed that, according to the rules of most unions, out-of-work benefit is not granted to members who lose their employment through their own fault. The control that some unions have succeeded in obtaining over the choice of the workmen to be employed is also keenly resented by many employers, who consider it an interference with their prerogatives

and subversive of all discipline. The regulations and course of conduct with regard to non-unionists which have been adopted by some unions have been already dealt with, and the question of their justice and expediency discussed.

The arguments which are brought forward, therefore, on each side appear at first sight to be wholly contradictory and irreconcilable. It is, however, to be observed that, generally speaking, they do not refer to the same class of trades. Where the organization of the workmen is of long standing and includes the majority of those employed in the trade, there, as a rule, the employers, as well as the workmen, express their approval, and testify to the friendly relations which have resulted from it. It may be noticed that this is usually the case in large industries, in which the employers could not under any circumstances have much intercourse with their individual workpeople. Where, on the other hand, the organization is very recent, or from unfavourable circumstances has extended to only a small portion of the workers, the employers are frequently strongly opposed to it, and consider it as the cause of all their difficulties with their workpeople. This is generally found to be the case in two different groups of industries. One consists of industries carried on on a small

scale, in which the employer either works with his workpeople or is intimately acquainted with them, and where kindly relationships have existed between him and them. To such an employer a trade union appears not only unnecessary, but directly mischievous to the workpeople, as well as to himself, and the workers themselves are often inclined to resent its interference.

The other group contains those industries in which the hitherto unorganized condition of the workers and their competition for employment have placed them more or less at the mercy of the employer. This is the case with many classes of unskilled and of 'sweated' labour, and in these the employers naturally resent the means by which the workpeople are enabled for the first time to bargain with them from a position of equality. It is also to be noticed that in these particular trades the unions have often assumed a violent and aggressive attitude, and have thereby provoked the antagonism of the employers. It may therefore happen that, with greater experience and a more secure organization, these unions will adopt a more moderate tone, and that the employers in their turn will recognise them as promoters rather than disturbers of industrial peace.

INFLUENCE UPON THE DEVELOPMENT AND
PROSPERITY OF TRADE

The action and influence of trade unions have hitherto been considered only in their bearing upon the material and moral welfare of the members and their relations with their employers ; but these questions lead to the further one of their effect upon the development and prosperity of the trade concerned. It is evident that anything that increases the physical and intellectual capacity of the workmen in any trade and raises their moral tone will probably tend to increase their efficiency as producers, and in so far as a trade union has this effect it conduces to the prosperity of the trade. Again, it is clear that friction between the employers and their workpeople, especially when this manifests itself in the form of strikes or lock-outs, must have an injurious effect upon the trade generally. Trade unions must therefore be considered to promote the prosperity of a trade in so far as they render the relations of employers and employed more harmonious, and to be prejudicial to it in so far as they have the opposite effect. With regard to the effect of strikes or lock-outs upon the prosperity of an

industry, it must be noticed that the harm done may exceed very considerably the direct loss of wages and profits incurred during the cessation of labour. For if such disputes are frequent the employers are unable to carry out their contracts, and a feeling of insecurity is created. On the one hand, therefore, the consumers endeavour to satisfy their demand from other sources of supply, and on the other hand, new employers are deterred from entering the trade, or those already in it are induced to withdraw their capital. So, too, the demand for higher wages may be carried so far that the trade in general suffers, either by a falling off in the demand for the commodity produced, caused by a rise in its price, or by a diminution of the capital invested in the trade, caused by a fall in the rate of profit. Thus it was asserted by two employers who gave evidence before the Royal Commission on Labour that 'the attitude taken up by the trade unions is already having a great influence upon the future of the cotton trade,' and that 'the determination of the workpeople to extract every penny of profit for themselves is gradually driving capitalists out of the trade.' Capital, moreover, may be diverted from a trade, not only by the lowering of profits, and by the extra risk involved in

frequent labour disputes, but also by the vexatious and tyrannical interference of a trade union in small details of business management. This may in some cases constitute a serious obstacle to the enterprise of the employers in introducing improved methods of production or starting a new industry, and in any case it is felt to be an annoyance. Mr. E. A. Pratt quotes on this point an ironmaster connected with a number of important concerns. He says: 'There are firms which dare not accept a really big order, because their doing so would involve the construction or the starting of another furnace or another shop, and the trade union leaders would instantly demand an increase of wages for all branches of the trade, or the concession of an eight hours day.'

One of the most important ways in which trade union action has been found to impede the expansion of an industry has been the resistance offered to the introduction of machinery. It is true that this opposition has now been abandoned by the best organized unions as a rule, but it does still exist in some cases, and was formerly very common. Thus it was stated by some employers in the boot and shoe making trade, who gave evidence before the Royal Commission on Labour,

that, although the men's union does not formally sanction opposition to machinery, it imposes so many restrictions that its use is practically hindered, and the competition of the American trade is rendered more severe. In the printing trade, the tin-plate trade, and many metal trades, the men refuse to work the machines to their full speed. They insist on skilled men being employed as minders, and try to secure the employment at a single machine of the same number of men as were employed under the old conditions, practices which all tend to render the introduction of improved machinery a mere useless expense.

The restriction by trade unions of the number of apprentices who may be employed in one establishment, or in proportion to a certain number of journeymen, also hinders the development of trade; for when the proportion of apprentices is so calculated that it will keep up the supply of journeymen at its present level, this does not provide for the additional journeymen who would be required in case of a further expansion. It is alleged, moreover, that in some cases the proportion of apprentices fixed is not sufficient even to do this, as no allowance is made for those who do not become journeymen, or who afterwards change to other trades. In such cases the effect of these

regulations must be actually to diminish the number of efficient workmen in the trade. The probable effects upon trade of a compulsory reduction of hours and of the prohibition of overtime cannot be fully considered here, and it need only be pointed out that in these matters trade union regulations are preferable to legislation only so far as they are more elastic than legislation can be. Whenever rigid regulations are laid down by a union with regard to methods of work, length of hours, or amount or manner of remuneration, these tend either to hamper the free development of the trade or to be disregarded, and so to weaken the authority of the union over its members. Trade unions may thus exercise an important influence upon the prosperity of a trade throughout the area of their organization, and their regulations may also have a powerful effect upon the prosperity of the trade in particular localities within that area. For if they fix a uniform minimum wage and a uniform maximum length of hours for the whole trade, they place those districts which are least favourably situated for carrying on the trade at a greater disadvantage with regard to the more prosperous districts than would otherwise be the case. If, on the other hand, they adopt a varying minimum wage and

maximum length of hours for different districts, their action tends to perpetuate the inequality by constantly drawing off the best workmen from the districts where wages are low to those where they are high. It seems, therefore, probable that too great power in the hands of a trade union, resulting in a one-sided regulation of the conditions of employment, would be very injurious to the interests of the trade as a whole.

The whole question of the influence of trade unions upon industry was very fully discussed in a correspondence carried on in the *Times* in 1901 and 1902. The chief indictment out of many brought against the unions was that they encouraged the policy of restriction of output, styled by them the 'ca' canny' or go-easy policy. Letters from employers, from trade union officials, from individual workmen, and from unprejudiced observers, followed one another in almost daily succession for some six months. The unions were charged with encouraging a general policy of restricted output, and specific cases were quoted in confirmation of the allegations made. The unions replied for the most part by vague repudiations of the charges brought against them, while several working men admitted that they were by no means unfounded. The general result of the

correspondence seemed to prove that the unions too often fostered antagonism between employers and employed, though it also appeared that employers had been very slow to devise means whereby their interests and those of their men could be reconciled. English employers, it was stated, were not anxious to make honesty the best policy; little inducement was given to a workman to discharge his duties faithfully; 'apathy and want of will'—to quote Mr. (now Sir George) Livesey—prevailed, and obstruction was opposed to obstruction. Schemes for giving men a direct interest in their work had scarcely been tried, or, if tried, had been abandoned. The success of the profit-sharing scheme at the South Metropolitan Gasworks is, however, a proof that, in industries suited to it, this method of securing the interest of the workmen might be more widely adopted. The American method of a fixed output for a minimum wage with a half of any excess as the workers' share is another method which might prove widely applicable.

INFLUENCE UPON POLITICS THROUGH SPECIAL UNIONS

As the control of State, local, and municipal government passes more and more into the hands of the working classes, it is natural that the

political importance of trade unions should be constantly increasing. This is shown both by the formation of the Independent Labour Party and by the efforts made by all political parties to gain the support of the unions and to draw them within the lines of party politics. 'The Independent Labour Party,' according to a circular issued by the party in April, 1894, 'is composed of those who are convinced of the necessity for the workers to organize their forces industrially and politically on a distinctly independent and democratic basis.' The democratic ideal is 'the establishing of an industrial commonwealth on a Collectivist basis, the land, raw material, and machinery being owned and controlled by the community, for the common good of all, instead of, as now, being owned and used by individuals for individual advantage. We believe this to be absolutely necessary if poverty and crime are to be banished. . . . We therefore are determinedly opposed to private monopolies, and shall work to supersede private by public control and ownership of the means of production, distribution, and exchange.' The party was founded on January 13 and 14, 1893, in Bradford. 'Its creation was due partly to the resolutions passed at the Trade Union Congress at Newcastle in 1891 and at Glasgow in

1892, which recommended the formation of an Independent Labour Party, and partly to the action of independent social democratic groups in Glasgow, Bradford, and other towns. I was told on the spot that old Chartists, who no longer wished to come into publicity themselves, had originally founded these groups. In September, 1894, the Independent Labour Party consisted of 350 branches, with 38,500 members' ('Die Sozialdemokratie und die englischen Parliamentswahlen,' by R. Martin, Dresden).

Since that date the party has suffered a temporary eclipse. Its influence in the Trade Union Congress was diminished by the alteration in the Standing Orders made after the Norwich Congress in 1894, confining the right of representation to men actually working at their trades or to trade union officials, whereby several leading exponents of the new unionism were excluded from the Congress. In the Parliamentary elections of 1895 the party contested twenty-six seats, representing 357,941 electors, and only obtained 12 per cent. of the votes polled. No members of the Independent Labour Party, and only twelve Labour members, were returned to that Parliament. Only one member of the Independent Labour Party and ten Labour members were returned in

1900. The last two years, however, have witnessed a revival in the energy of the party, and several Labour members have been returned at by-elections. The Trade Union Congress at Swansea in 1902 declared itself dissatisfied with the existing representation of labour in Parliament, and decided to organize a Labour Representation Committee, which should endeavour to secure direct labour representation, apart from existing political parties. The most recent gathering of the Independent Labour Party took place on June 20, 1904, at Barnsley, when Mr. Keir Hardie said (*Yorkshire Post*, June 22, 1904) that 'the Independent Labour Party were giving a direct lead in Yorkshire, and were going to revolutionize the representation of the county at the next election.' This may be an exaggeration as far as the Independent Labour Party is concerned, but there are signs that the Labour Party is beginning to swallow up the Liberal Party. To this process many factors are contributing, on which there is no space to dwell here; but it appears very probable that there will be a great increase in the Labour vote at the next election, and that there will be a gradual leavening, not only of Parliament, but also of all future Liberal Administrations,

with an ever - increasing number of Labour members.

One circumstance in particular renders the connection between trade unions and politics of great importance. This is the fact that the State and most local and municipal bodies are themselves employers of labour, and when the electorate consists partly of workpeople thus employed, it is almost inevitable that the purely industrial relations between employer and employed should be complicated by political interests. A danger of jobbery then arises—that is, of undue favouritism towards individuals or classes of workers at the expense of others or of the public interest. Thus Mr. (afterwards Sir A.) Forwood, in his evidence before the Royal Commission on Labour, mentioned the difficulties which arose in dealing with the large body of labourers employed at the Government dockyards, in consequence of the Parliamentary influence which they exercise, an influence which has increased of late years. The Admiralty regulation which forbids workmen to seek advancement in their position in the dockyard through political means was said by Mr. Forwood to be practically inoperative, so that political influence is exercised through members of Parlia-

ment, both by individuals and by classes of workmen, to advance their own interests.

Sir Thomas Farrer also pointed out in his evidence that a similar danger had arisen in connection with the London County Council, and although he was careful to explain that no case of jobbery had occurred in that body, he considered that the policy adopted by the Council might lead in that direction. He further showed that the resolutions passed with regard to paying the rates of wages fixed by the trade unions had placed it in the power of those bodies to dictate the conditions of employment of the employés of the Council. Again, it was stated in the evidence given by Mr. Quelch that the unusually high wages paid by the Bermondsey Vestry to its workmen were largely due to the influence of the local trade unions, which have a considerable representation upon the Vestry. This tendency to allow non-economic and political motives to affect the settlement of the conditions of employment is very much increased when special unions are formed by the employés of the State or of local or municipal bodies, such as the Municipal Employés' Association, the National Municipal Labour Union (dissolved 1900), the unions of Post-Office servants, and the unions of various

classes of workmen in the Government dockyards. It was stated by Mr. Quelch that the direct object of the Dock Labourers' Union which he represented was to bring political influence to bear upon the conditions of their employment. 'What we have always held out to them is this—that their organization, their being employés of the Government, ought to be more powerful, and ought to be more effectual than the organization of men working for private firms, because, after all, the workmen have a claim upon the Government which they have not upon private firms. . . . That has been our contention, that has been the inducement held out to the men to organize—that the first step necessary to show that they want an improvement in their position is for them to organize, and to organize with their fellow-workmen outside the departments, to bring pressure to bear upon the representatives of the different constituencies in Parliament, which, after all, dominates the Government.'

It is evident, however, that political power exerted for such purposes may not only give an unfair advantage to certain individuals or classes as opposed to others, but may be detrimental also to the interests of the general public. This is especially likely to be the case in those branches

of the public service, such as the Post-Office, in which strict discipline is necessary to secure that accurate and punctual fulfilment of all duties which is essential for the public welfare. In all cases, moreover, it is a matter for serious consideration whether the interest which all classes of the community have in getting public work performed in the most economical as well as the most efficient manner may not by such means be sacrificed to the interest of the particular class engaged in carrying out the work.

CONDITIONS OF EMPLOYMENT AFFECTING TRADE UNIONISM

The conditions under which work is carried on in certain industries are peculiarly favourable to the growth of organization among the work-people, whilst in others the reverse is the case. The principal differences are the amount of skill required, the local concentration or dispersion of the workpeople, and the proportion of female workers; amongst other minor points, the proportion of foreigners employed and the amount of opposition shown by the employers in the trade may be mentioned.

Speaking generally, the more highly skilled a

trade is, the more opportunities are afforded for a strong organization of the workpeople. It has been already pointed out that the great difficulties which attend the organization of unskilled labour are generally caused by the poverty of the workpeople, the long hours they are employed, the absence of any apprenticeship or necessary training before entering such trades, and the frequent fluctuations of employment in them. In skilled industries, on the other hand, the wages received are often high enough to enable the members of the union to pay contributions sufficiently large to cover the expenses of management of an extensive and elaborate organization, and the provision of several friendly benefits, and to render possible the accumulation of sufficient funds to carry the society safely through a period of severe depression in trade or a prolonged struggle with the employers.

Again, the hours of labour are very seldom excessive in highly skilled industries, and the workpeople are thus afforded leisure to attend the meetings of their societies, and to take part in their management. Perhaps the circumstance which is most favourable to organization is found in those trades which can only be entered by serving a certain length of apprenticeship, or in

which an amount of dexterity is necessary which can only be acquired by training and considerable practice. The workers in such trades possess a kind of natural monopoly, which it is their common interest to maintain by combination. New-comers must enter at an early age, and are at once brought under the influence of the trade union by those who instruct them, and, in the case of a dispute with the employers, outsiders cannot easily be brought in to take the place of men on strike. A monopoly of this kind is in some cases created by special legislation, which has for its object the safety of the workpeople or of the general public. Such, for instance, is the regulation which forbids miners to work at the face of the coal before they have had two years' experience under a skilled miner, or the obligation upon cab and omnibus drivers to obtain a license. The members of skilled trades are also less liable to change from one occupation to another than those in unskilled trades, and are therefore more likely to continue their membership of a society which they have once joined.

The concentration of an industry in a particular locality, and the consequent aggregation of large numbers of workers, as in mines and factories, are circumstances very conducive to organiza-

tion. This is especially the case in those mining or manufacturing villages in which almost the entire population are engaged in the same industry. The workpeople are then intimately acquainted with one another, and realize in the highest degree their community of interest, and loyalty to the trade union takes the more tangible form of loyalty to neighbours and fellow-workers. There is also a great advantage in the members living within an easy distance of the local union office, so that they may attend regularly to pay their contributions, sign their names in the vacant book when out of work, and give their votes when any important question comes up for decision. This is, indeed, almost an essential condition of the fundamentally democratic constitution of many of the most important organizations of workmen. It is necessarily absent in industries in which the members are widely scattered, as, to take an extreme instance, the case of sailors and marine engineers and firemen. This is probably the chief reason why organization amongst these classes began rather late, and has not yet become very complete or successful. There seems also to be a danger that a too absolute authority may pass into the hands of a few officers or of one man in such unions, since it is

impossible to keep together a large and representative executive.

Again, in such an industry as agriculture the workpeople live in more or less close proximity with one another, but they work alone or in small numbers, and do not feel the mutual dependence upon one another which is felt by those engaged in different processes in a factory. Domestic industries are also very unfavourable to organization, since the solitary workers or groups of workers in each dwelling are not only not brought into any necessary contact with one another, but regard each other as rival competitors.

Special difficulties appear to attend the organization of women, and hence the trades in which female labour preponderates are usually less well organized than others. This is partly due to the fact that female labour is not as a rule highly skilled, and also to the fact that even where a considerable amount of skill is required, the wages paid to women are very low compared with those of men. The same difficulties, therefore, of low wages, long hours, and an overstocked labour market, resulting in excessive competition amongst the workers, which have been referred to with regard to unskilled labour generally, are present as a rule in the case of female labour.

A further obstacle to the organization of women is frequently found in the opposition of the men's unions, which in some industries almost force the women into the position of blacklegs. On the other hand, it must be noticed that some of the new unions of unskilled labourers admit women to membership, and that several of the new unionist leaders have taken a prominent part in promoting the formation of women's unions. Another and more serious difficulty consists in the attitude of the majority of the women themselves towards unionism. The fact that their occupation is generally given up on marriage or soon afterwards makes them regard it in the light of a temporary and unimportant factor in their lives, and they are indisposed to make present sacrifices for the sake of a future advantage which they may not remain in the trade long enough to enjoy. Even if they join a union whilst at work, they seldom continue their membership afterwards, and thus there is a lack of older and experienced members to undertake the management of the society, and a constant fluctuation in membership. It appears, moreover, that women are both by force of circumstances and education, as well perhaps as by natural disposition, less accustomed to joint

action and less public-spirited than men. But as these difficulties have been successfully overcome in the case of the female factory workers in Lancashire, where the women form a large proportion of the unionists, as well as of the total number of workpeople engaged, there seems no reason why they should prove insuperable in other industries and localities.

In 1902 the number of unions admitting women and girls as members was 139, and the number of female members was 122,128. The largest number of women unionists was recorded in 1900, when they reached 123,510.

A further obstacle to organization occurs when a large number of foreigners are employed in any industry, or can be easily imported into it on the occasion of a strike. Differences of race are apt to lead to mutual jealousy and distrust, and to render union difficult, and in some cases the foreign workers feel that it is against their interest to conform to the trade union regulations, since their employment depends upon the fact that they are willing to work longer hours for less wages than their English competitors. This is one reason which renders organization difficult in the 'sweated' industries. Distinctions of nationality even within the United Kingdom are in some

cases a cause of disunion amongst the workmen. Thus it is said that Welsh workmen in some trades refuse to admit Englishmen, and a decline of trade unionism amongst the miners of Lanarkshire and Ayrshire has been partly attributed to the racial difference between the native workmen and the large number of Irishmen who have come over.

When an attempt is made for the first time to organize the workpeople in any industry, its success depends to a considerable extent upon the attitude of the employers towards it. Many instances were quoted in evidence before the Labour Commission in which the first trade unions had been crushed by the systematic opposition of the employers, and this seems to occur most frequently when a large company is in the position of an employer. Thus it was said that all early attempts in the direction of unionism amongst tramway and omnibus servants had been balked by the direct and indirect opposition of the companies. In many of the worst paid trades the fear of being boycotted by the employers is given as the reason why the workpeople do not combine to improve their position. In other cases the employers do not object to the workpeople combining amongst themselves, but persistently

refuse to recognise the union officially, or to allow its representatives to intervene in any way between themselves and the individual workmen, and thus remove one of the chief inducements to their workpeople to join the union. In many cases this attitude upon the part of the employers is caused by the fact that special discipline is necessary in the industry in question. Thus, Sir George Findlay, in his evidence before the Royal Commission on Labour, pointed out that the intervention of union officials in the affairs of a railway company would be fatal to the high state of discipline which it is necessary to maintain in the railway service, with a view to the proper conduct of the traffic and the safety of the public. Other employers make no objection to receiving and negotiating terms with one or more of the workmen in their service as the representatives of their fellows ; but they refuse to allow what they consider the interference of outsiders—that is, the representation of their workpeople by trade union officials who are not personally connected with their business.

CONCLUSION

THE facts and figures presented in the foregoing pages can point to only one conclusion—namely, that trade unions are destined to be an ever-growing force in industrial, social, and political life. The increase in membership of 27 per cent. in the decade 1892-1902, and in their funds of 116 per cent. per head during the same period, is an indisputable proof of their power and prosperity. It seems very unlikely that organizations which, in the face of every kind of obstacle, have achieved so striking a measure of success will ever allow themselves to be turned aside from the pursuit of the objects which for so many years they have faithfully sought. The precise proportion that trade unionists bear to the total adult male working population is not known ; it has been estimated at 18 per cent.—not a large proportion, it is true, but the unions include the most intelligent and able members of the working

class, and possess an organization and discipline which enable them to carry through in the long-run almost any policy upon which they are determined.

Their success in raising wages, reducing the hours of labour, obtaining the recognition of their rights as associations, and in improving the conditions of labour, has already been pointed out. Moderation of aim still remains the characteristic of union policy taken as a whole. The Collectivist Utopia, and the even more chimerical ideals of Social Democracy, have been preached to them in vain; they go on steadily amassing capital in their benefit funds; the members build their own houses, and provide for their own old age. But moderation has not meant narrowness, and, so far as their opportunities have enabled them to do so, trade unionists have grasped the principles of mutual help and of common interest, which form the basis of all social progress. Some unions have branches in the colonies and in the United States, and, as I said years ago, before 'Imperialism' had become a catchword, 'they have taken, without any flourish of trumpets, perhaps the most practical step towards the unification of the English race that has yet been made. . . . They have learnt and shown that not only all

Englishmen, but all English-speaking men, are one.'

Trade unionism has educated an immense number of men in self-reliance and self-sacrifice, in business capacity and provident habits ; it has improved the physique and the mental and moral character of its adherents, and in this way it has placed at the command of British employers a labour force unequalled in the world. This is its glory, but it is not without the defects of its qualities. The correspondence in the *Times* during 1901-1902 revealed only too clearly what these defects were, but, while I would emphatically deprecate any attempt to palliate charges which have been substantiated, I should like to point out that the errors of trade unionists in this respect are largely due to ignorance, and the fallacies they now indulge with regard to 'the labour lump' are not dissimilar to the theory of the wages fund which once enjoyed a considerable vogue amongst learned economists.

Ignorance cannot, however, be pleaded in excuse of the policy of restriction of output when this is secured by means in themselves dishonest. The limitation of the number of apprentices may have arisen through a sincere, though short-sighted, belief that a plentiful supply of labour

would lower wages, and opposition to machinery was in the past undoubtedly the outcome of the idea that the machine supplanted the man. But the withholding of a fair day's work when the fair day's wage is already assured admits of no defence or excuse, and until all trace of the 'ca' canny' policy has been obliterated a blot will remain upon the fair fame of unionism.

The contempt for foreign competition which has marked the action of some unions may, again, be attributed to apathy and ignorance—an ignorance easy to understand when it is considered how infinitesimally small is the share of the individual worker in the production of even the article on which he works, not to speak of the total production of the country and its place in the markets of the world. It is not difficult to point to this and other causes which explain how it has come to pass that the working classes are deceived in their estimate of the commercial position of the country; but the fact remains that our trade no longer enjoys its former pre-eminence, that foreign rivals press us hard, and that the trade unionists of the country are not alive to the danger.

The remedy is to be sought, I believe, not in any abandonment of the principles of trade

unionism, nor even in an abatement of its claims, but rather in better education, in the spread of more enlightenment, and in a higher ideal of the duties of citizenship. Dissatisfaction with our present system of elementary education is widespread ; the expectations of 1870 have not been fulfilled, but investigation into the causes of this comparative failure are being busily carried on, and much is hoped from the Act of 1902. Improved methods of instruction are being introduced, but instruction will not of itself suffice ; a sense of duty must be fostered, a disdain of ' doing things rather more or less '—an appeal must be made, in short, to the highest motives. The motive of self-interest, too, must not be neglected, and any means which employers can devise to insure that their workmen shall benefit by putting will and intelligence into their work are certain to be rewarded.

The material means of better technical and general education already exist to a large extent, but the power to use them is lacking ; guidance is wanted, and concentration of the scattered efforts of individuals. Hitherto guidance has come mainly from without and above, and the response made has been small. A movement which gives promise of more success, because its initiative has

come from within, is the Association to Promote the Higher Education of Working Men. This society includes many leading trade unionists and co-operators among its members, and its object is to utilize the opportunities for wider culture which the Universities, and especially the newer territorial Universities, offer to working men.

APPENDIX

RECENT LEGAL DECISIONS

IN view of the fact that the Taff Vale decision practically reversed the Trade Union Act of 1871, and gave to trade unions the corporate responsibility from which the Legislature then shielded them, it may be worth while to state the particulars of the case in more detail.

The Taff Vale Railway Company had a dispute with its employés, who were members of the Amalgamated Society of Railway Servants, and this dispute resolved itself into the question of whether or not the company should recognise the union. In August, 1900, the organizing secretary of the union proclaimed a strike, and the railway-station at Cardiff was picketed to prevent the entrance of imported labour. A circular warning men not to accept employment on pain of being known as 'blacklegs' was signed by Mr. Richard Bell, the general secretary of the union, who also gave notice to the company that all negotiations with its employés were to be conducted through

him. The union thus clearly assumed a position of responsibility.

On August 30 the company brought an action in the Queen's Bench Division against the society in its registered name for an injunction and for damages. The injunction asked for was to restrain the society, its agents, and others acting under its authority, from watching and besetting the Great Western Railway station at Cardiff and the works of the Taff Vale Company. On the same day the society also made application that the name of the society should be removed from the action as defendants, because the society was not a corporation nor an individual, and hence was not liable to be sued. This application was refused by Mr. Justice Farwell (a Chancery Judge, who was then sitting as vacation Judge), who granted an interim injunction until the trial of the action, restraining the society in the manner requested, and ordering it to pay the costs of the action.

The society appealed against this decision, and the Court of Appeal, on November 21, 1900, reversed it; the injunction which had been granted was dissolved, and costs allowed. This decision was based on the opinion that the Trade Union Acts did not confer corporate rights and responsibilities upon trade unions.

The final stage was reached when the company took this decision before the House of Lords. The case was heard on July 12, 15, 16, and 22, 1901, with the result that the judgment of the Queen's Bench was restored and the society ordered to

pay costs in both courts. The House of Lords held that a trade union, registered under the Trade Union Acts of 1871 and 1876, can be sued in its registered name, and is liable for injuries inflicted by its members.

This very important decision has been reinforced by several recent decisions, which go far to limit the unrestricted freedom of trade unions in the conduct of disputes.

In the case of *Lyons v. Wilkins* (1899) it was decided that picketing the works of an employer for any purpose except to obtain or convey information, was illegal; in the case of *Quinn v. Leatham* (1901) it was decided that it was an actionable wrong for union officials to call out, or threaten to call out, members of the union because the employer refused to discharge non-unionists in his employment; in the case of the *Glamorgan Coal Company v. The South Wales Miners' Federation* it was decided that the 'stop day' ordered by the union as a means of restricting output and thereby keeping up wages constituted an actionable wrong.

It has already been seen that the opinion of trade unionists is very strongly adverse to these decisions, but weighty opinions in support of them—particularly of the Taff Vale decision—have been pronounced in the press and in Parliament. Mr. Haldane wrote in the *Contemporary Review* (March, 1903) that for trade unions to claim exemption from the general rule that a principal who delegates part of his business must

be held responsible for the acts of his delegate 'would be to set up a claim of privilege.' Colonel Pilkington, speaking in the House of Commons during the debate on the second reading of the Trade Union and Trade Disputes Bill (April 22, 1904), said that 'in his opinion it was very undignified for those great organizations of workmen to try and rid themselves of their responsibilities.' Mr. N. P. Gilman, in his book on 'Methods of Industrial Peace,' writes: 'The great mass of friendly economists believe that nothing would be more wholesome for the trade unions than to have their responsibility evened up to their power. Great power for good or harm they have already, but responsibility for harm they disclaim. The public conscience will not be long in pronouncing with the economists on this plain issue of morals.'

POSTSCRIPT

WITH regard to the liability of trade unions for the acts of their members referred to in Chapter II. and the Appendix, while this book has been passing through the printer's hands an interesting case, that of *Airey v. Weighill* and others, has been before the Court of Appeal, which decided that the trade union in that particular case was not liable because the plaintiff had failed to show 'any authority of the Lodge or the Union' (*Times*, February 11, 1905).

Further, after these pages had been finally revised, the debate on the second reading of the Trade Unions and Trade Disputes Bill (1905) took place in the House of Commons (March 10, 1905). This Bill, which is practically identical with those introduced in 1903 and 1904, provides (1) that it shall be lawful for the agents of a trade union to picket premises for the purpose of peacefully persuading any person to abstain from working; (2) that a combination to do any act in furtherance of a trade dispute shall not be ground for an action if such an act might be done by one person with impunity; and (3) that an

action shall not be brought against a trade union for the recovery of damage sustained by reason of the action of any of its members.

The first clause would override the principle laid down in *Lyons v. Wilkin*, the second clause would override the principle laid down in *Quinn v. Leathem*, while the third clause would override the principle laid down in the *Taff Vale* case.

Mr. John Wilson, of the Durham miners, who seconded the second reading, stated in the course of the debate that they only asked for fair play, and to make every man responsible for his actions: that when the committee of a trade organization or a general council gave instructions there was no reason why they should not be responsible; and further said that he thought the third clause would make the union responsible for the responsible acts of a responsible person. The Attorney-General said, No; if that clause passed it would exempt a trade union from liability for the acts which members of the association had authorized. There was not a lawyer in the House who would not get up and say that was the effect of the clause.

Mr. Asquith maintained that in consequence of recent judicial decisions legislation was not only expedient, but absolutely necessary. In regard to the law of conspiracy and agency as affecting trade disputes, the Statutes of 1871 and 1875 had been interpreted in a way the Legislature did not contemplate. The decision in the case of *Lyons v. Wilkin* had seriously curtailed the legitimate exercise of the right of picketing. It was pedantic to suppose

that workmen on the occasion of a strike could confine their persuasion to the mere communication of information. Unless picketing was to be prohibited absolutely, peaceful suasion must be permitted. The second clause of the Bill merely abolished liability to civil proceedings in cases which were removed from the criminal law under legislation passed thirty years ago. It would change the law as laid down in *Quinn v. Leatham*. The purpose of the third clause, which dealt with the protection of trade union funds, and was rendered necessary by the Taff Vale decision, had his full approval, but he was not satisfied that this was the best method of accomplishing it, and he thought the clause might be advantageously amended in committee. The funds of trade unions ought not to be made liable for damages resulting from the acts of irresponsible agents.

The Attorney-General, while admitting that formerly labour combinations were unduly hampered, warned the House against the danger of taking the extreme course of exempting such combinations from the general law of the land. The law might require elucidation, and for that purpose a strong Royal Commission was appointed in June, 1903. Surely Parliament ought to wait for the Commission's Report before rushing into legislation. The Commission had finished the hearing of evidence, and he believed its report would be issued in May. Coming to the clauses of the Bill, he expressed the opinion that the third was by far the most important. It contained the proposal that trade unions should be

exempted from a pecuniary liability which attached to all corporations and individuals. Why, he asked, should they pass class legislation in the interests of workmen? If the clause became law it would exempt trade unions from liability for the acts of persons to whom they had given authorization. That would be unreasonable. He failed to understand why unions refused to adopt the simple expedient of separating the funds which could be used for fighting purposes from the funds available for sick pay. In his opinion, the House ought not to be asked to legislate in order to remedy a grievance arising solely from the refusal of the unions to take that course.

Passing to the second clause, he submitted that it would legalize boycotting, and warned its supporters that it might operate in a way they would not approve by assisting combinations of employers such as trusts. Turning to the first clause, he affirmed that peaceful persuasion, unaccompanied by 'watching or besetting' a place of business or premises entailed no liability under the law. This clause, however, would legalize 'watching and besetting' even if it amounted to a nuisance at common law. Condemning the Bill generally, he described it as a measure which would not define the law, but which would put trade unions above the law.

The second reading was finally agreed to by 252 votes against 130, and the Bill was referred to the Grand Committee on Law (*Times*, March 11, 1905).

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